

By Mr. WYANT: A bill (H. R. 15948) granting an increase of pension to Ellen Harbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15949) granting an increase of pension to Mary E. Stimmel; to the Committee on Invalid Pensions.

By Mr. YATES: A bill (H. R. 15950) granting an increase of pension to Ellen Everts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15951) granting an increase of pension to Julia E. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15952) granting an increase of pension to Ella L. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15953) granting an increase of pension to Mary C. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15954) granting an increase of pension to Eliza A. Marks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15955) granting an increase of pension to Madona N. Kingston; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 15956) granting an increase of pension to Virginia Morris; to the Committee on Invalid Pensions.

By Mr. ABERNETHY: A bill (H. R. 15957) granting a pension to Nancy Elizabeth Paul; to the Committee on Pensions.

Also, a bill (H. R. 15958) granting a pension to Ada Daniels Simpson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4449. By Mr. ENGLEBRIGHT: Petition of California Economic Research Council, asking for appropriation for Bureau of Soils so as to bring work in arrears up to date; to the Committee on Appropriations.

4450. Also, petition of Mrs. M. F. Hollenbeak and 106 citizens of the community of Fall River Mills, Calif., protesting against the compulsory Sunday observance, as proposed in House bills 10311, 1023, 7179, and 7822; to the Committee on the District of Columbia.

4451. Also, petition of Improved Order of Red Men of the Reservation of California, condemning action of Congress on the recent urgent deficiency appropriation act of Congress including an item of \$100,000 for the construction of a bridge across the Colorado River at Lees Ferry, Ariz., which was to be reimbursed out of the Navajo tribal fund; to the Committee on Appropriations.

4452. Also, petition of board of directors of the San Francisco Chamber of Commerce, urging that the Swing-Johnson bill should be passed at the present session of Congress; to the Committee on Irrigation and Reclamation.

4453. By Mr. GALLIVAN: Petition of J. F. McEvoy, 39 Harvest Street, Dorchester, Mass., urging the enactment of prompt legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4454. By Mr. GARBER: Petition of the American Silver Producers' Association, urging enactment of Senate bill 756; to the Committee on Banking and Currency.

4455. By Mr. JOHNSON of Washington: Petition of Mrs. C. Myers and 24 other citizens of Winlock, Wash., urging that compulsory Sunday observance legislation be not passed; to the Committee on the District of Columbia.

4456. By Mrs. KAHN: Petition by the San Francisco Labor Council, urging that all contracts calling for the expenditure of public moneys contain a clause stipulating the employment of American citizens in the execution thereof; to the Committee on Labor.

4457. By Mr. MOONEY: Petition of sundry citizens of Cleveland, protesting House bill 10311, to secure Sunday as a day of rest in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

4458. By Mr. O'CONNELL of New York: Petition of the Great Lakes Harbors Association, in convention assembled at Buffalo, N. Y., November 16 and 17, 1926, protesting against any legislation that may sanction, or tend to sanction, the diversion or abstraction of waters likely to lower the levels of the Great Lakes; to the Committee on Rivers and Harbors.

4459. Also, petition of the International Association of Garment Manufacturers of New York, favoring the passage of the Cooper bill (H. R. 8653); to the Committee on Labor.

4460. Also, petition of the Eastern Broom Manufacturers & Supply Dealers Association of Pennsylvania, favoring the passage of House bill 8653, the Cooper bill; to the Committee on Labor.

4461. Also, petition of the First National Bank of Brooklyn, N. Y., in favor of the McFadden bill without the Hull amendment; to the Committee on Banking and Currency.

4462. By Mr. SHALLENBERGER: Petition of Katherine Hornbacher and others, requesting the defeat of House bills 10311, 10123, 7179, and 7822; to the Committee on the District of Columbia.

4463. Also, petition of T. J. Birchall and others, requesting Congress not to pass House bills 10311, 10123, 7179, and 7822; to the Committee on the District of Columbia.

4464. By Mr. STRONG of Pennsylvania: Petition of citizens of Kittanning, Pa., in favor of legislation to increase the rates of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4465. By Mr. THOMPSON: Petition of citizens of Paulding County, Ohio, protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

4466. By Mr. TILSON: Petition of Robert W. Brown and other residents of New Haven, Conn., urging the enactment of legislation providing for the defense of the United States against attack from the air; to the Committee on Military Affairs.

SENATE

THURSDAY, January 6, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our heavenly Father, Thou has been very gracious unto us in Thy dealings day after day, granting unto us added opportunities for notable service in connection with the world's work and with our own home life and obligations. Guide us this day so that whatever may be done or said may be agreeable to Thy mind and will. Lead us always. We ask in Jesus Christ's name. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SETTLEMENT OF SHIPPING BOARD CLAIMS

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting, pursuant to law, a report of claims arbitrated or settled by agreement from October 16, 1925, to October 15, 1926, by the United States Shipping Board, and/or United States Shipping Board Emergency Fleet Corporation, which, with the accompanying report, was referred to the Committee on Commerce.

PEDESTAL FOR ALBERT GALLATIN STATUE

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 113) authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C., which were, on page 1, line 10, after the word "Commission," to insert "subject to the approval of the Joint Committee on the Library"; and on page 2, line 1, after the word "Commission" to insert "and by the Joint Committee on the Library."

Mr. WALSH of Montana. I move that the Senate concur in the House amendments.

The motion was agreed to.

INTERIOR DEPARTMENT APPROPRIATIONS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes, and receding from its disagreement to the amendment of the Senate No. 37 and concurring therein with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

HOWARD UNIVERSITY

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, \$150,000, of which sum not less than \$2,200 shall be used for normal instruction;

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, including \$17,600 for payment to Freedmen's Hospital for heat and light, \$68,000;

For the construction of one additional dormitory building for young women, \$150,000.

Mr. SMOOT. I move that the Senate agree to the amendment of the House to Senate amendment No. 37.

The motion was agreed to.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a telegram in the nature of a petition from Sam L. Morley, general manager Oklahoma Cotton Growers' Association, at Oklahoma City, Okla., embodying a resolution passed by the Legislature of the State of Oklahoma at the present session, praying for the passage of the bill (S. 4808) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities, which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented a telegram in the nature of a memorial from sundry citizens of Goshen County, Wyo., remonstrating against any interference by the United States Government with affairs in Mexico, which was referred to the Committee on Foreign Relations.

Mr. FRAZIER presented the petitions of F. E. Hunt and 33 other citizens of Grand Forks, of C. S. Langley and 18 other citizens of Minot, of J. O. Boyd and 12 other citizens of Powers Lake, of O. E. Gridin and 28 other citizens of Sheyenne, of W. D. Archibald and 21 other citizens of Williston, and of A. V. Hanson and 34 other citizens of Litchville, all in the State of North Dakota, praying for the prompt passage of the so-called White radio bill, which were ordered to lie on the table.

Mr. COPELAND presented the following telegram, which was ordered to lie on the table and to be printed in the RECORD:

LOS ANGELES, CALIF., January 6, 1927.

Senator R. S. COPELAND,

United States Senate, Washington, D. C.:

On account of its vital interest to the progress and development of southern California the Southern California Alumni Association, of the University of Michigan, ask that you lend your support to and vote in favor of the Swing-Johnson bill providing the damming of the Colorado River. We consider this a matter of vital concern to the entire country, inasmuch as our wealth and enterprise and our well-being affect the national wealth enterprise and well-being.

A. C. DUCKETT,

*President Southern California Alumni Association
of the University of Michigan.*

Mr. COPELAND also presented the following letters, which were ordered to lie on the table and to be printed in the RECORD:

NEW YORK, January 4, 1927.

DEAR SIR: I most emphatically oppose the so-called maternity act to be brought up in the Senate at this session.

As a Democrat, your traditional principles will preserve you from supporting this extension of Federal control and interference with the affairs peculiarly belonging to the States.

Yours obediently,

LATHAM G. REED.

To Senator COPELAND.

DEMOCRATIC STATE COMMITTEE,
WOMEN'S ACTIVITIES,
New York City, January 5, 1927.

Hon. ROYAL S. COPELAND,

United States Senate, Washington, D. C.

MY DEAR SENATOR COPELAND: I have had a request from the League of Women Voters that we urge your support of the Sheppard-Towner bill.

I hardly think it is necessary to urge this, as I know you as a doctor must appreciate the wonderful good which the working out of this bill has accomplished, especially in the rural districts of our own State, wherever it has been used.

I think this aid could be given much more extensively than it is at present.

Of course, I realize that the old State rights cry might be raised, but then we might just as well give up any agricultural aid or any aid towards road building, and I do think mothers and babies are a fairly important asset to this country, and I feel sure that you feel the same.

Very sincerely yours,

ELEANOR ROOSEVELT.
(Mrs. Franklin D. Roosevelt.)

DENATURANTS IN ALCOHOL

Mr. COPELAND. Mr. President, of course not all the people in my State take the same view of the Volstead Act and its enforcement that Governor Smith and I do. In evidence of

this are two telegrams which I ask to have inserted in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered. The telegrams are as follows:

BUFFALO, N. Y., January 4, 1927.

Hon. ROYAL S. COPELAND,

Senate Office Building, Washington, D. C.:

In connection present hysteria over denaturants in tax-free alcohol, we respectfully urge careful consideration of the need of legitimate industry under a 20-year-old statute which was enacted to encourage our chemical industry. Present formulae are based on sound scientific principles, and any hasty change might have a crippling effect upon our operations. We support Treasury Department's attitude that denaturation is an industrial problem and not a prohibition question.

PIERCE & STEVENS (INC.).

ISLIP, N. Y., January 4, 1927.

Senator COPELAND,

Washington, D. C.:

I sent the following telegram to Speaker of the House and Presiding Officer of United States Senate. Please tell the wet Senators for me I consider them nothing but traitors to the Constitution of the United States. I believe the Government should put more poison in alcohol instead of less, and kill the nullifiers of the Constitution off by the hundreds of thousands, and the wet Senators should die first. They are nothing but poor white trash, and mighty poor at that, and would never be missed. Other men gave their lives for the Constitution of the United States, but the wet Senators and men of their stand are not willing even to give up a glass of rum for the Constitution.

JOHN C. DOXSEE.

APPRECIATION OF UNITED SPANISH WAR VETERANS

Mr. MEANS presented a resolution adopted by the annual encampment of the United Spanish War Veterans, which was ordered to be printed in the RECORD, as follows:

NATIONAL HEADQUARTERS UNITED SPANISH WAR VETERANS,
Woodward Building, Washington, D. C.

Resolution 20

The United Spanish War Veterans in encampment assembled send greetings to the Congress of the United States.

We herewith express our thanks for the passage of House bill 8132 for the relief of veterans, their widows, and dependents of the Spanish War and campaigns incident thereto. We desire to especially acknowledge the fine services of Senator PETER NORBECK, chairman of the Senate Pensions Committee, and Hon. HAROLD KNUTSON, chairman of the Pension Committee of the House of Representatives.

The executive department of the Government is commended for the selection of Hon. Winfield Scott to be Commissioner of Pensions. His fairmindedness and prompt and courteous treatment of disabled service men has endeared him to the hearts of all veterans.

We are grateful that our Nation has remembered the boys of 1898.

This is to certify that the above is an authentic copy of a resolution adopted at the twenty-eighth annual encampment, United Spanish War Veterans, held at Des Moines, Iowa, August 15 to 19, 1926.

[SEAL.]

JAS. J. MURPHY,
Quartermaster General.

NATIONAL PREPAREDNESS AND NATIONAL DEFENSE

Mr. MEANS. Mr. President, on to-morrow, as soon as I am able to receive recognition by the Chair, I wish to express, by reason of my position at the head of one of the great veterans' organizations, their opinion and my own, and I believe the opinion of the vast group of veterans of the United States, upon national preparedness and national defense and our immediate duty in regard to the same.

THE RADIO LEGISLATION

Mr. BINGHAM. Mr. President, I have received a large number of petitions, memorials, and letters protesting against the delay in the settlement of the radio bill. I should like very much to ask one of the Senators in charge of the conference on that bill what progress has been made and what chance there is for the future. However, I do not see any one of them in the Chamber at this time, so I suppose I must postpone the inquiry until they are present.

THE PROHIBITION LAW

Mr. COPELAND. Mr. President, the governor of my State in his annual message made reference to the passage of the referendum and emphasized the duty of the legislature to memorialize the Congress regarding the Volstead Act. I ask that the recommendation may be read by the clerk.

The VICE PRESIDENT. The clerk will read as requested.

The Chief Clerk read as follows:

[From the annual message of Governor Smith to the legislature]
RECOMMENDATIONS MADE BY GOVERNOR SMITH ON CHANGES IN AND
ENFORCEMENT OF THE DRY LAW

At the recent election there was submitted to a referendum of the people the question of whether or not they desired a modification of the Federal statute giving force and effect to the eighteenth amendment to our Federal Constitution. By 1,164,586 majority the people of the State of New York voted for modification of the statute.

I believe that the duty now rests upon the legislature to pass suitable resolutions conveying in a formal manner the result of that vote to the Congress of the United States and memorializing it on behalf of the State of New York to enact at the earliest possible moment a sane, sensible, reasonable definition of what constitutes an intoxicant under the eighteenth amendment, so that harmless beverages which our people have enjoyed for more than a century may be restored to them.

In the meantime, however, it must be borne in mind that, until such modification is effective, the Federal statute and the eighteenth amendment are just as much the law of this State as any of our own State statutes. This has been definitely settled by a decision of the United States Supreme Court.

I again warn sheriffs and peace officers generally that it is their sworn duty to enforce these laws. Failure to perform this duty I will consider as serious an offense as a failure to obey the State statutes, and when laid before me, sustained by proper and competent testimony, I will exercise without fear or favor the power of removal wherever it is vested in me.

Mr. COPELAND. I was anxious to have this inserted in the RECORD in order that the attitude of the governor of my State might be understood. I saw an outrageous attack made upon him recently. A minister, failing to discriminate between the Volstead Act and the eighteenth amendment, seriously criticized Governor Smith, because, as the minister put it, of "Smith's desire to nullify the eighteenth amendment."

The attitude of Governor Smith is now and has always been in favor of compliance with the eighteenth amendment. His contention, as indicated by this portion of his message of yesterday, makes clear that it is his desire merely to have a modification of the Volstead Act to permit the sale of liquor of higher alcoholic content than is permitted by the Volstead Act, but under no circumstances, of course, to be of such alcoholic content as to violate the eighteenth amendment.

DISMISSAL OF POSTMASTER IN SOUTH CAROLINA

Mr. BLEASE. Mr. President, some time ago a nomination for the reappointment of a postmaster in my State was sent to the Senate, and on some complaint which I had heard I had it held up. The Committee on Post Offices and Post Roads were about to appoint a subcommittee to investigate the matter. In the meantime the matter was taken up by the Civil Service Commission. Day before yesterday a report came from the Civil Service Commission signed by its secretary, Mr. Doyle, in which it was stated that the proof had disclosed that this postmaster had received some money from two men at another place for the purpose of having them appointed rural mail carriers or city mail carriers, whichever it happened to be. Immediately upon the receipt of that letter I called it, through a friend of mine, to the attention of the Postmaster General. The Postmaster General immediately, without a moment's hesitation, took it up with the President of the United States, and on yesterday, in less than 24 hours from the time the Postmaster General received the information that the money had passed, the nomination of that postmaster was withdrawn from the Senate. As a matter of fact the two men who paid this money were not appointed to office. I feel that it is fair and just to the Postmaster General, as well as to the President, to state that immediately—not to-morrow, but to-day—immediately upon receipt of that information the man was dismissed from office.

REPORTS OF BRIDGE BILLS FROM THE COMMERCE COMMITTEE

Mr. STEWART, from the Committee on Commerce, to which was referred the bill (S. 4831) granting the consent of Congress to the highway department of Davidson County, of the State of Tennessee, to construct a bridge across Cumberland River at a point near Andersons Bluff, connecting Old Hickory or Jacksonville, Tenn., by way of the Gallatin Pike, with Nashville, in Davidson County, Tenn., reported it with an amendment and submitted a report (No. 1215) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4702) to extend the time for the construction of a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va. (Rept. No. 1216);

A bill (S. 4813) granting the consent of Congress to the Minneapolis, Northfield & Southern Railway to construct, maintain, and operate a railroad bridge across the Minnesota River (Rept. No. 1217); and

A bill (S. 4862) granting the consent of Congress to the commissioners of Fayette and Washington Counties, Pa., to reconstruct the bridge across the Monongahela River at Belle Vernon, Fayette County, Pa. (Rept. No. 1218).

MISSISSIPPI RIVER BRIDGE AT LANSING, IOWA

Mr. STEWART. Mr. President, I ask unanimous consent for the immediate consideration of the bill (H. R. 10857) granting the consent of Congress to the Interstate Bridge Co., of Lansing, Iowa, to construct a bridge across the Mississippi River at Lansing.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JONES of Washington. I understand this is a bridge bill in regular form?

Mr. STEWART. It is.

Mr. LENROOT. I would like to ask a question of the Senator from Iowa. Where is the bridge to be located?

Mr. STEWART. At Lansing, Iowa.

Mr. LENROOT. Down the river below the Wisconsin line?

Mr. STEWART. Yes. It was approved by the committee and is on the calendar.

Mr. LENROOT. The only reason why I asked the question is that there are some negotiations pending for a bridge at a point between Wisconsin and Iowa, but I understand this has nothing to do with that matter.

The VICE PRESIDENT. The Chair is informed that there is an amendment pending, which will be stated.

The LEGISLATIVE CLERK. An amendment by the Senator from Texas [Mr. MAYFIELD], on page 5, to add a new section to be known as section 9—

Mr. JONES of Washington. Mr. President, that amendment can not be considered at this time.

Mr. CURTIS. I ask that the bill may go over.

The VICE PRESIDENT. The bill will go over.

CUMBERLAND RIVER BRIDGE, TENNESSEE

Mr. McKELLAR. Mr. President, a bridge bill has just been reported with reference to a bridge over the Cumberland River in my State. It is a bridge bill in the ordinary form. I would like very much to have unanimous consent for the present consideration of the bill. It is the bill (S. 4831) granting the consent of Congress to the highway department of Davidson County, of the State of Tennessee, to construct a bridge across Cumberland River at a point near Andersons Bluff, connecting Old Hickory or Jacksonville, Tenn., by way of the Gallatin Pike, with Nashville, in Davidson County, Tenn.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment.

The amendment was, on page 2, line 5, after the numerals "1906," to insert a comma and the words "and subject to the conditions and limitations contained in this act," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the highway department of Davidson County, of the State of Tennessee, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation, near Andersons Bluff, connecting Old Hickory or Jacksonville, by way of the Gallatin Pike, with Nashville, in Davidson County, State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MONONGAHELA RIVER BRIDGE, PENNSYLVANIA

Mr. REED of Pennsylvania. Mr. President, I make the same request with reference to the bill just reported for a bridge in Pennsylvania, which is in the usual form.

Mr. CURTIS. The bill is in the regular form?

Mr. REED of Pennsylvania. It is Senate bill 4862, just reported by the Senator from Iowa [Mr. STEWART].

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4862) granting the consent of Congress to the commissioners of Fayette and Washington Counties, Pa., to reconstruct the bridge across the Monongahela River at Belle Vernon, Fayette County, Pa., which has been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 6, before the word "the," to strike out "maintain, and operate"; in the same line, after the word "the," to insert "existing"; and in line 8, after the name "Pennsylvania" and the comma, to insert "with such changes in clearances as may be approved by the Chief of Engineers and the Secretary of War, and to maintain and operate the same, all," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the commissioners of the counties of Fayette and Washington, in the State of Pennsylvania, and their successors and assigns, to reconstruct the existing bridge and approaches thereto across the Monongahela River, at Belle Vernon, in the county of Fayette, in the State of Pennsylvania, with such changes in clearances as may be approved by the Chief of Engineers and the Secretary of War, and to maintain and operate the same, all in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KANAWHA RIVER BRIDGE, WEST VIRGINIA

Mr. NEELY. Mr. President, I make the same request respecting a bill just reported from the Committee on Commerce with reference to a bridge in my State.

Mr. CURTIS. Is it in the regular form?

Mr. NEELY. It is, and the public convenience will be greatly benefited by action upon the measure. It is Senate bill 4702.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4702) to extend the time for the construction of a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va., which had been reported from the Committee on Commerce with amendments.

The amendments were, on page 1, line 3, after the words "That the," to strike out "consent of Congress is hereby granted to the Kanawha Falls Bridge Co. (Inc.), a corporation organized and existing under the laws of the State of West Virginia, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto" and insert "times for commencing and completing the construction of a bridge authorized by act of Congress approved February 26, 1925, to be built"; in line 8, after the word "River," to strike out "at a point suitable to the interests of navigation"; on page 2, line 2, after the name "West Virginia," to strike out "in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906," and insert "are hereby extended one and three years, respectively, from the date of approval hereof"; to strike out section 2 in the following words:

Sec. 2. That the State of West Virginia, or any political subdivision or divisions thereof, within or adjoining which said bridge is located, may at any time, by agreement or by condemnation in accordance with the laws of said State, acquire all right, title, and interest in said bridge and the approaches thereto constructed under authority of this act, for the purpose of maintaining and operating such bridge as a free bridge by the payment to the owners of the reasonable value thereof, not to exceed in any event the construction cost thereof: *Provided*, That the said State or political subdivision or division thereof may operate such bridge as a toll bridge not to exceed five years from date of acquisition thereof.

And on page 2, line 18, to change the section number from 3 to 2, so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved February 26, 1925, to be built across the Kanawha River at or near the falls of said river, close to the town of Glen Ferris, in the county of Fayette, in the State of West Virginia, are hereby extended one and three years, respectively, from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for the construction of a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va."

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REED of Pennsylvania:

A bill (S. 5076) to authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, as amended; to the Committee on Finance.

By Mr. LA FOLLETTE:

A bill (S. 5077) to grant a pension to Margarete Weidlich; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 5078) authorizing Edward J. Henning, United States district judge for the southern district of California, to accept the decoration and diploma tendered to him by His Majesty, the King of Italy; to the Committee on Foreign Relations.

By Mr. DALE:

A bill (S. 5079) granting an increase of pension to Ursula S. Rounds; and

A bill (S. 5080) granting an increase of pension to Mary J. Gallison (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 5081) granting an increase of pension to Martha G. Field (with accompanying papers); to the Committee on Pensions.

By Mr. NORBECK:

A bill (S. 5082) authorizing an appropriation of \$6,000,000 as a loan to farmers in the crop-failure area of the United States for the purchase of feed and seed grain, said amount to be loaned under the rules and regulations prescribed by the Secretary of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. SACKETT:

A bill (S. 5083) to supplement the act entitled "An act granting the consent of Congress to the city of Louisville, Ky., to construct a bridge across the Ohio River at or near said city," approved April 2, 1926 (with an accompanying paper); to the Committee on Commerce.

By Mr. STEPHENS:

A bill (S. 5084) to provide for the payment of the amount of an adjusted-service certificate to Irving D'Forrest Parks, beneficiary designated by Corpl. Steve McNeil Parks, deceased; to the Committee on Claims.

By Mr. DILL:

A bill (S. 5086) granting an increase of pension to Lydia A. Wareing; to the Committee on Pensions.

By Mr. BRATTON:

A bill (S. 5087) for the relief of Martin E. Riley; to the Committee on Claims.

By Mr. CURTIS:

A bill (S. 5088) to establish a Federal Farm Board in the Department of Agriculture to aid the industry of agriculture to organize effectively for the orderly marketing and for the control and disposition of the surplus of agricultural commodities; to the Committee on Agriculture and Forestry.

By Mr. WATSON:

A bill (S. 5089) granting an increase of pension to Mary Lee Love; to the Committee on Pensions.

By Mr. STEPHENS:

A joint resolution (S. J. Res. 141) to approve a sale of land by one Moshulatubba on August 29, 1832; to the Committee on Public Lands and Surveys.

CODIFICATION OF NAVIGATION LAWS

Mr. JONES of Washington. Mr. President, under the shipping act of 1920 the Shipping Board were required to make a revision of the navigation laws and submit amendments to Congress from time to time with their recommendations. As the first step in this work they have had made a codification of existing laws. That is embodied in a bill, without any purpose of making changes in the law, but simply making a codification of existing laws. I introduce the bill and ask that it may be referred to the Committee on Commerce.

The bill (S. 5085) to codify the shipping and navigation laws of the United States, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

Mr. JONES of Washington. I also ask to have printed as a Senate document the recommendation of the Shipping Board,

together with other papers giving the facts with reference to the codification. (S. Doc. No. 188.)

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

The VICE PRESIDENT. Are there additional bills or joint resolutions? If not, concurrent and other resolutions are in order.

Mr. BRUCE and Mr. REED of Pennsylvania addressed the Chair.

The VICE PRESIDENT. The Senator from Maryland.

Mr. BRUCE. Is there any reason why I should not make a motion to have a bill taken up for consideration at the present time?

Mr. REED of Pennsylvania. I call for the regular order.

The VICE PRESIDENT. Morning business is not closed.

Mr. BRUCE. I am asking whether or not that is the regular order.

The VICE PRESIDENT. Morning business is not closed.

Mr. BRUCE. Excuse me. I understood the Chair to say that morning business had been closed.

The VICE PRESIDENT. No.

IMMIGRATION QUOTAS

Mr. REED of Pennsylvania. Mr. President, I am informed that on yesterday there was submitted to the President the joint report of the Secretary of State, the Secretary of Commerce, and the Secretary of Labor on immigration quotas under the national origin plan as required in the immigration law of 1924. I started to prepare a resolution requesting the President to submit that report to the Senate, when I found that the Senator from Massachusetts [Mr. WALSH], who has been actively interested in this matter both during his previous term and his present term, had already prepared a resolution asking for the same information. The resolution which I now submit is, therefore, presented in behalf of both of us. I appreciate and wish to acknowledge publicly his courtesy in withholding his resolution and permitting me to offer the resolution which I send to the desk, and for which I ask present consideration.

Mr. CURTIS. Let the resolution be read.

The VICE PRESIDENT. The resolution submitted by the Senator from Pennsylvania will be read.

The resolution (S. Res. 318) was read, as follows:

Senate Resolution 318

Resolved, That the President be requested, if not incompatible with the public interest, to transmit to the Senate a copy of the joint report of the Secretary of State, the Secretary of Commerce, and the Secretary of Labor to the President in pursuance of section 11 (e) of the immigration act of 1924.

The VICE PRESIDENT. The Senator from Pennsylvania asks unanimous consent for the present consideration of the resolution.

Mr. BRUCE. I object.

Mr. REED of Pennsylvania. Then, I ask that the resolution may go over under the rule.

The VICE PRESIDENT. The resolution will go over under the rule.

ANNIE TRAMBLE

Mr. KEYES submitted the following resolution (S. Res. 315), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate Resolution 315

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Annie Tramble, sister of William Harrod, late a laborer in the employ of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CORINNE W. COLBERT

Mr. KEYES submitted the following resolution (S. Res. 316), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate Resolution 316

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Corinne W. Colbert, widow of Howard M. Colbert, late a laborer in the employ of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

TEXTILE AND METAL PRODUCTS

Mr. FRAZIER submitted the following resolution (S. Res. 317), which was referred to the Committee on Education and Labor:

Senate Resolution 317

Whereas the report of the Commissioner of Internal Revenue shows that in 1924 the net income of corporations manufacturing textiles and textile products reporting a net income was \$316,927,779, and such corporations reporting "no net income" paid that year \$40,236,626 in cash dividends; and the net income of corporations manufacturing metal and metal products reporting a net income was \$1,340,597,253, and such corporations reporting "no net income" paid that year \$23,912,237, in cash dividends, and \$3,987,346 in stock dividends, and there is a high protective tariff duty on most textiles and textile products and on most metals and metal products; and

Whereas no investigation of the costs of production, capitalization, efficiency, wages paid, and business methods of most of these corporations has been made by a Government agency for many years, if at all: Therefore be it

Resolved, That the United States Tariff Commission be, and it is hereby, directed to investigate the costs of production, capitalization, efficiency, wages paid, business methods, and profits or losses of typical corporations manufacturing textiles and textile products, and metal and metal products, including an equal number of those showing large profits, and those claiming in 1924 "no net income," and to report their findings to the Senate not later than December 1, 1927.

SEIZED GERMAN SHIPS

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Chief Clerk read the resolution (S. Res. 310) submitted by Mr. KING January 3, 1927, as follows:

Senate Resolution 310

Resolved, That the Secretary of the Treasury is hereby directed to immediately transmit to the Senate copies of all communications made by the Treasury Department or any person in the Treasury Department, and particularly by Garrard B. Winston, Undersecretary of the Treasury, to the German Government, or any official of the German Government, or to Wilhelm Kisselbach, the German commissioner of the Mixed Claims Commission, or to the German ambassador, or the attorney for German shipowners, or any German shipowners; and particularly a copy of all communications made by the Secretary of the Treasury or by the Undersecretary of the Treasury addressed to the "representatives of the German shipowners"; and particularly a copy of the letter asking whether German shipowners would be satisfied with a limitation of \$100,000,000 as the value of the ships seized by the United States. Also copies of all communications sent to the Treasury Department, or to any representative of the Treasury Department, or any person acting for or in its behalf, by the German Government, or by said Wilhelm Kisselbach, or by any of the German shipowners, or any of the representatives of said shipowners, and particularly Mr. Hunt, attorney for said shipowners, and also copies of all cable messages exchanged by representatives of the Treasury Department and by representatives of the German shipowners or agents or representatives of the German Government, or agents and representatives of any person, company, firm, or corporation claiming property in the hands of the Alien Property Custodian; and also copies of all memoranda, notes, or messages in regard to the property in the hands of the Alien Property Custodian, and the return of the same; and in regard to any legislation proposed or to be proposed by the Secretary of the Treasury or by the Congress of the United States looking to the return of any property in the hands of the Alien Property Custodian, or looking to the compensation of American citizens for claims they have or may have against the German Government or against German nationals.

Mr. CURTIS. Mr. President, with a slight amendment there is no objection to the resolution. I offer the amendment which I send to the desk, proposing to strike out certain words on the second page.

Mr. KING. I accept the amendment which is proposed by the Senator from Kansas.

Mr. ROBINSON of Arkansas. Let us have the amendment stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 14, after the word "Government," it is proposed to strike out the words:

or agents and representatives of any person, company, firm, or corporation claiming property in the hands of the Alien Property Custodian, and also copies of all memoranda, notes, or messages in regard to the property in the hands of the Alien Property Custodian, and the return of the same, and.

Mr. KING. I accept the amendment.

Mr. ROBINSON of Arkansas. Just a moment. Is the language which has just been read the amendment of the Senator from Kansas or is it language which is proposed to be stricken out?

Mr. CURTIS. The language which has been read is proposed to be stricken out by my amendment. If the resolution shall then be passed it will secure all the information which is desired by the Senator from Utah [Mr. KING].

Mr. ROBINSON of Arkansas. And the amendment of the Senator from Kansas is satisfactory to the Senator from Utah?

Mr. KING. It is satisfactory.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Kansas.

The amendment was agreed to.

The resolution as amended was agreed to.

The VICE PRESIDENT. The morning business is concluded.

MEXICAN RELATIONS

Mr. WHEELER. Mr. President, recently a controversy has arisen between some of the leading newspaper correspondents and associations of this country and the Secretary of State. In an article which was published in the St. Louis Post-Dispatch, dated November 27, 1926, Paul Anderson published a story, which has been given quite general circulation, to the effect that some time ago three of the leading national press associations, which supply virtually every daily newspaper in the country, received a telephone call from the State Department saying that Mr. Olds, of that department, desired to see the heads of the associations in his office at once on a matter of importance. Upon their arrival Mr. Olds pledged the newspaper men not to quote him on what he was about to say, and then proceeded to make a statement.

"For more than a year," he said, "the State Department has been concerned over the relations between the United States and Mexico, and those relations have now reached a very acute stage.

"It is an undeniable fact," he continued, "that the Mexican Government to-day is a Bolshevik government. We can not prove it, but we are morally certain that a warm bond of sympathy, if not an actual understanding, exists between Mexico City and Moscow. A steady stream of Bolshevik propaganda has been filtering from Mexico down through Central America, aimed at property rights and designed to undermine society and governments as they are now constituted."

I send to the desk, Mr. President, the original article by Mr. Anderson as published. I will say that if this statement published by Mr. Anderson in the St. Louis Post-Dispatch is correct, it is, to say the least, reprehensible on the part of the State Department or any member of the State Department to give out a story to which he refuses to sign his name and ask the great press associations of this country to circulate false propaganda or any propaganda against a country with which we are on friendly terms.

I ask that the article I send to the desk be published as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[From the St. Louis Post-Dispatch of November 27, 1926]

An alarming story of alleged Mexican efforts to foster Bolshevism throughout Central America, thus threatening American control of the Panama Canal, went out from Washington 10 days ago and was published in hundreds of newspapers throughout the United States. Although the character of the story was such as to arouse deep resentment against the Mexican Government, no authority was given for the statements it contained.

Responsibility for the story has been traced by the Post-Dispatch correspondent to Assistant Secretary of State Robert E. Olds. Not only did he make the statements upon which the story was based but he took measures to insure their widespread publication. At the same time he refused to take the responsibility for it, either in person or for the State Department.

SENATORS REPORTED INDIGNANT

Senators were filled with astonishment and indignation when informed of the facts to-night. Several declared Olds's action undoubtedly represented an attempt by the State Department to inflame the American people against the Mexican Government and to prepare public sentiment for the breaking off of diplomatic relations, which have become strained by the controversy over the Mexican land and oil laws.

Following is the inside account of what actually happened:

A week ago last Tuesday the Washington bureaus of the three national press associations, which supply virtually every daily newspaper in the country, received a telephone call from the State Department saying that Olds desired to see the heads of the associations in his office at once on a matter of importance.

IMPOSED NO-QUOTE PLEDGE

Upon their arrival Olds pledged the newspaper men not to quote him on what he was about to say, and then proceeded to make a statement:

"For more than a year," he said, "the State Department had been concerned over the relations between the United States and Mexico, and those relations had now reached a very acute stage.

"It is an undeniable fact," he continued, "that the Mexican Government to-day is a Bolshevik government. We can not prove it, but we are morally certain that a warm bond of sympathy, if not an actual understanding, exists between Mexico City and Moscow.

"A steady stream of Bolshevik propaganda has been filtering from Mexico down through Central America, aimed at property rights and designed to undermine society and governments as they are now constituted. We feel that this practice should be presented to the American people and I desire to ask for your advice and cooperation toward that end."

STATE DEPARTMENT KEPT OUT

"It can very easily be done," one of the correspondents replied. "Let the State Department issue a statement to this effect, over the signature of the Secretary of State, and every newspaper in the country will publish it."

Olds recoiled with an exclamation of apprehension.

"Oh, that is utterly impossible," he said. "Surely you must realize why the department can not afford to be in the position of directing such a serious statement against a government with which it is officially on friendly terms."

The correspondents politely refrained from pointing out that the department seemed eager enough to have the statement go out, so long as the responsibility was laid at some other door. However, they did protest against being asked to take the responsibility upon themselves, especially in view of the fact that their only information on the subject came from Olds.

TIED TO DIAZ RECOGNITION

It was then suggested that perhaps such a story could be tied on to the announcement that the State Department had decided to recognize the government of Adolfo Diaz in Nicaragua. President Diaz had appealed to the United States Government to aid in restoring peace in that country, and Secretary of State Kellogg followed with a warning that the United States Government was concerned over outside intervention in Nicaraguan affairs. It was known that the warning referred to reports that arms were being shipped from Mexico to Nicaragua to aid the liberal uprising there.

Accordingly, it was in connection with the announcement of the recognition of Diaz, made the following day, that the story of the alleged Bolshevik activity by Mexico in Central America appeared in somewhat modified form. It was presented as the background which explained the present relations between the United States and Mexico.

STORY NEVER REPUDIATED

The natural presumption that Olds acted with the knowledge and approval of Secretary Kellogg is strengthened by the fact that no repudiation of the story has since come from the department. It is further strengthened by the circumstances that Olds and Kellogg were former law partners and are close personal associates. That Olds would take such an extraordinary action in such a grave matter without first consulting his chief and friend is inconceivable by those who are familiar with the procedure in the State Department.

Olds and Kellogg were members of the same law firm in St. Paul, Minn. Olds was appointed Assistant Secretary of State in October, 1925, partly as a result of his long association with Kellogg. He is head of the legal division of the State Department.

Official Washington has been speculating upon the source of the Mexican Bolshevik scare ever since the story appeared. It was realized that the story must have been inspired in some official quarter, but no official had been found who would admit responsibility for it.

Mr. WHEELER. On January 5, 1927, the United States Daily and other papers throughout the country published what purports to be a letter from Mr. Kellogg denying that the statement referred to by Mr. Anderson was ever given out by the State Department. I ask that Mr. Kellogg's answer, together with the article appearing in the United States Daily of January 5, be made a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[From the United States Daily of January 5, 1927]

MR. KELLOGG DENIES INSPIRING PRESS ON NICARAGUAN AFFAIRS—
SECRETARY OF STATE REFUSES TO ANSWER QUESTIONS AS TO COMMISSION IN MEXICO

Secretary Kellogg, of the Department of State, in a letter just received by Representative PORTER (Republican), of Pittsburgh, Pa., states that the Department of State did not request or suggest to the representatives of press associations on or about November 16, 1926, that they publish any news item concerning internal conditions in Mexico and alleged relations between Mexico and Russia.

This information was given in reply to a resolution introduced into the House by Representative LA GUARDIA (Socialist), of New York City, who also made the letter public. The resolution asked for information relative to a news dispatch of November 17 reporting the Government's concern that alleged communistic tendencies in Mexico might affect Latin-American relations.

DENIAL IS GENERAL

Secretary Kellogg in his letter also stated that his department did not request the news associations not to reveal the source of the alleged information.

In regard to the questions in the resolution as to whether the Department of State had any "information concerning bolshevistic activities in the Republic of Mexico," or "information relative to Mexico's attitude toward Nicaragua and Mexican activities in Central America detrimental to the interests of the United States," Secretary Kellogg stated that he did not deem "it compatible with the public interest for me at this time to discuss" these subjects.

NO PROMPTING OF PRESS

The full text of Secretary Kellogg's letter to Representative PORTER follows:

"SIR: You have transmitted to me for such comment or reply as I may deem fit and proper a copy of House Resolution No. 334, introduced by Mr. LA GUARDIA, of New York.

"I have the honor of submitting to you the following reply:

"Paragraphs 1 and 2 of the resolution are addressed to the general question whether the Department of State, or any of its officers, on or about the 16th day of November, 1926, sought to use the various news agencies to put out information or conclusions in regard to Mexico without assuming official responsibility therefor. The answer to this question is 'No.'

"With respect to paragraphs 3 and 4 of the resolution, I do not deem it compatible with the public interest for me at this time to discuss the subjects there referred to.

"Paragraphs 1 and 2 having been answered in the negative, no answer to paragraph 5 is required.

"FRANK B. KELLOGG."

Mr. WHEELER. Next, Mr. President, I desire to call the attention of the Senate to the interview given out by Paul Anderson following Secretary Kellogg's published letter to the House of Representatives, in which the Secretary denied the statements made by Mr. Anderson. Among other things, the newspaper correspondent—whom most of the Senators here know and believe to be reliable—said:

My account of the Olds incident was a piece of routine reporting. When the Associated Press said the "specter of a Mexican-fostered Bolshevik hegemony intervening between the United States and the Panama Canal had thrust itself upon American-Mexican relations," and failed to give it authority, virtually every experienced correspondent in Washington recognized it at once as an inspired story.

I was one of several who started out to discover who inspired it. From this investigation resulted the dispatch published in the Post-Dispatch November 28.

In reporting an event at which he was not present, a reporter must gather information from sources he considers reliable. If he misjudges the reliability of his sources, he should be, and usually is, held accountable by the newspaper which employs him.

The principal source of my information on the Olds incident was a gentleman with whose personal and professional character I was thoroughly acquainted, and whose word I would unhesitatingly accept against that of Secretary Kellogg under any circumstances that I can imagine.

It was subsequently corroborated from other sources, some of them inside the State Department. I was perfectly satisfied with the accuracy of the information then, and I am perfectly satisfied with it now. The terms of Secretary Kellogg's denial, the lateness of its appearance, and his reputation for frankness in public affairs suggest that he may have resorted to the diplomatic device of constructing the questions in the way that will allow him to give the most convenient answers.

But why bandy words? Does Congress really want to know whether the State Department requested press association representatives to send out a story of the kind which the Associated Press actually did send out?

If so, Congress can easily find out. The names of the press association men who attended Mr. Olds's conference can readily be ascertained. All of them are in Washington. It would be a simple matter for the Senate Foreign Relations Committee to take their testimony and that of Mr. Olds.

Permit me to say in this connection that I have it upon very reliable sources, from newspaper men whose accuracy I certainly do not question, that the story given out by Paul Anderson was correct in toto.

Next, I desire to introduce an editorial from the Washington News as a part of my remarks, and send it along with Paul

Anderson's interview, and ask that it be inserted in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[Paul Y. Anderson's interview following Secretary Kellogg's published letter to the House]

Congress can easily learn if the State Department persuaded the Associated Press to carry a story on the Mexico-Nicaragua situation, for which the department was unwilling to take the responsibility.

This is the opinion of Paul Y. Anderson, correspondent of the St. Louis Post-Dispatch. Anderson told the story of how Robert E. Olds, Assistant Secretary of State, called press association representatives to his office and gave them the story after pledging them to secrecy.

Anderson, who is now in St. Louis, suggested when interviewed over long-distance telephone that Congress question representatives of the three press associations.

He explained he spoke as an individual and not for his paper, which speaks through its editorial page.

"My account of the Olds incident was a piece of routine reporting," he said. "When the Associated Press said the 'specter of a Mexican-fostered Bolshevik hegemony intervening between the United States and the Panama Canal had thrust itself upon American-Mexican relations,' and failed to give it authority, virtually every experienced correspondent in Washington recognized it at once as an inspired story.

"I was one of several who started out to discover who inspired it. From this investigation resulted the dispatch published in the Post-Dispatch November 28.

KNOWS HIS INFORMANT

"In reporting an event at which he was not present, a reporter must gather information from sources he considers reliable. If he misjudges the reliability of his sources, he should be, and usually is, held accountable by the newspaper which employs him.

"The principal source of my information on the Olds incident was a gentleman with whose personal and professional character I was thoroughly acquainted, and whose word I would unhesitatingly accept against that of Secretary Kellogg under any circumstances that I can imagine.

DIPLOMATIC DEVICE

"It was subsequently corroborated from other sources, some of them inside the State Department. I was perfectly satisfied with the accuracy of the information then, and I am perfectly satisfied with it now. The terms of Secretary Kellogg's denial, the lateness of its appearance, and his reputation for frankness in public affairs, suggests that he may have resorted to the diplomatic device of constructing the questions in the way that will allow him to give the most convenient answers.

"But why bandy words? Does Congress really want to know whether the State Department requested press association representatives to send out a story of the kind which the Associated Press actually did send out?

"If so, Congress can easily find out. The names of the press association men who attended Mr. Olds's conference can readily be ascertained. All of them are in Washington. It would be a simple matter for the Senate Foreign Relations Committee to take their testimony, and that of Mr. Olds."

[Editorial from the Washington News of January 5, 1927]

OPEN THE BAG

The State Department formally denied yesterday that it had "inspired" the now-famous news dispatch of the Associated Press, sent from here on November 17—the one which began with these words:

"The specter of a Mexican-fostered Bolshevik hegemony intervening between the United States and the Panama Canal has thrust itself into American-Mexican relations, already strained."

The formal disclaimer was made by Secretary Kellogg in response to a resolution offered in the House asking information on the subject. Kellogg's action appears to leave the Associated Press holding the bag. What that organization will do with the bag remains to be seen. It might open it.

Somebody should. The proper place for the opening would be the Senate Committee on Foreign Relations. It has been said in reliable newspapers—some of them clients of the Associated Press, which received and printed the dispatch of November 17—that this alarmist story of alleged Bolshevism was given to the press associations by Secretary Kellogg's first assistant, Robert E. Olds. It has been said that Olds sought to have the newspapers publish the story on their own responsibility and that he pledged writers to secrecy.

The concern of the Senate Committee on Foreign Relations, of course, is not with the fact that the Associated Press is alleged to have lent itself to such an improper undertaking, but that the State Department should attempt to spread propaganda in this secret fashion.

Answering the House's question as to whether the department or any of its officers "sought to use the various news agencies to put out information or conclusions in regard to Mexico without assuming

official responsibility therefor," Secretary Kellogg says flatly, "The answer to this question is 'No.'"

At least three other persons than Kellogg's assistant were present when the Associated Press dispatch is said to have been inspired. The Senate committee should put the same question to them and see if their answer may not, perchance, be "Yes."

There is now a question of veracity in the matter, involving the integrity of the Secretary of State and the honesty of the machinery for the collection of news in Washington, on which citizens everywhere predicate their opinions.

Let's open the bag.

Mr. WHEELER. I desire to call attention, next, to an editorial from the Baltimore Sun of January 5, 1927, headed "A meaningless denial." The editorial is as follows:

A MEANINGLESS DENIAL

Secretary Kellogg, answering the LaGuardia resolution, gives a curt denial to charges that a State Department agency last November "requested or suggested" that the leading news agencies comment on alleged Bolshevism in Mexico without assuming responsibility for the charges made.

It is extremely unpleasant for Americans not to be able to place implicit confidence in the word of their Secretary of State, but such is the distasteful fact in this issue. A careful, reputable, and responsible newspaper—the St. Louis Post-Dispatch—inquired into the origin of the story and traced it to Assistant Secretary of State Robert E. Olds. The evidence brought was very definite and very credible. Mr. Kellogg's reply is evasive and indefinite, for all that it consists of a single negative which seems to answer but does not explain.

Probably it is technically true that nobody in the State Department "requested or suggested" that the story be sent out. The initiating hint may well have come from a press correspondent, enabling the State Department to wriggle by casuistry out of a nasty indictment. But the essential charge that the administration compromised itself by an attack on the repute of a neighboring power, refusing to sponsor its assertions officially, remains to irritate. Mr. Kellogg has cleared away none of the criticisms which are accumulating against his tenure of office.

Now, I want to read an editorial appearing in the New York World on January 5, 1927, on the same question, which reads as follows:

MR. KELLOGG AND THE ASSOCIATED PRESS

A new chapter has been added to the story of "Bolshevism threatening the Panama Canal," as retailed by the Associated Press. The sequence of events now runs as follows:

On the morning of November 16 there appeared in many newspapers a sensational and alarming report of "the specter of a Mexican-fostered Bolshevik hegemony intervening between the United States and the Panama Canal." This report was distributed by the Associated Press.

Some two weeks later, on November 28, the St. Louis Post-Dispatch and its Washington correspondent threw light upon the origin of this news. "Responsibility for the story," said the Post-Dispatch, "has been traced to Assistant Secretary Olds. Not only did he make the statements upon which the story was based but he took measures to insure their widespread publication. At the same time he refused to take the responsibility for it, either in person or for the State Department."

Following these charges nothing was said by the State Department; but the Associated Press had this to say: "This [information] came to the Associated Press in the usual course of news gathering in Washington from sources which it has a right to expect are well informed and correctly represent the views of the Government."

Now, after a month's silence, Secretary Kellogg takes occasion to deny that the State Department "or any of its officers" gave the Associated Press its information.

Either Mr. Kellogg is making a goat of the Associated Press, in which case we hope that the Associated Press will tell him so, or Mr. Kellogg is right, and the Associated Press obtained its information from sources outside the State Department. In this case it would be interesting to know what those sources were.

Let me say in closing, Mr. President, that I sincerely hope the Foreign Relations Committee will take notice of these charges which have been made by the leading newspapers of the country, and call Mr. Kellogg before it, and then call before it the representatives of the Associated Press, the International News Service, and the United Press, and get their versions of the story. If it is true that Mr. Kellogg has been giving out, or the Department of State has been giving out, loose or false statements, and asked that they be circulated throughout the length and breadth of this country for the purpose of stirring up the people of this country to a point where they would want to break relations with a friendly country, then the people of this country are entitled to know it, and ought to know it, and Mr. Kellogg should not remain as Secretary of State.

IMPORTATION OF MILK

Mr. LENROOT. Mr. President, I move that the Senate proceed to the consideration of House bill 11768, which is known as the milk bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Wisconsin.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11768) to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health.

Mr. LENROOT. Mr. President, this bill was explained the other day when it was under consideration by the Senate, and, unless further explanation shall be desired, I ask that the amendment to the bill may be stated.

Mr. KING. Let the bill first be read.

The VICE PRESIDENT. The Secretary will read the bill. The bill was read.

The amendment of the Committee on Agriculture and Forestry was, on page 4, after line 12, to insert:

The Secretary of Agriculture is directed to waive the requirements of paragraphs 2 and 5 of section 2 of this act in so far as the same relate to milk when issuing permits to operators of, or to producers for delivery to, creameries and condensing plants in the United States within 20 miles of the point of production of the milk, and who import no raw milk except for Pasteurization or condensing: *Provided*, That if milk imported when the requirements of paragraphs 2 and 5 of section 2 have been so waived is sold, used, or disposed of in its raw state, or otherwise than as Pasteurized, condensed, or evaporated milk by any person, the permit shall be revoked and the importer shall be subjected to fine, imprisonment, or other penalty prescribed by this act.

The amendment was agreed to.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment. If there are no further amendments, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. KING. Mr. President, this bill, I understand, was before the Senate for a few moments a day or two ago. I have just come into the Chamber and understand that it has been read the necessary number of times and is about to be passed. Because of being occupied with other official duties, I have not given this measure the attention which its importance requires. Indeed, I have had no opportunity to read it and know only in a general way what its provisions are. I am compelled to go now to a committee that is considering the Gould case, and will therefore have no opportunity to ask for further consideration of the measure or an explanation as to its purpose and effects.

From a hasty reference to one or two sections during the past minute or two, I confess that the bill has the appearance of being in the interest of a milk monopoly. While we are all interested in the welfare of every branch of agriculture, and are also desirous that those engaged in the dairy industry prosper, we can not ignore broad questions involved in legislation of this character, nor ought we to favor legislation which may be considered discriminatory and in the long run injurious to the great mass of the people.

This bill may be entirely proper, but, as stated, a brief examination of a section or two has led me to the belief that the measure has some objectionable features. I recall when the bill was briefly referred to a day or two ago hearing the Senator from New York make some observation concerning the bill to the effect that it was local in character and was desired by the people of the State of New York, and that it involved only the importation into the United States of a few thousand quarts of milk per day.

Mr. McNARY. That applies only to a portion of Greater New York but not to the country generally.

Mr. KING. Mr. President, as I understand the bill, it seeks to prohibit any milk from being brought into the United States except under regulations set up by the Department of Agriculture. The States apparently are to be deprived of their power to control their domestic affairs and to prescribe regulations and standards to be applied to milk brought into or sold within the States. The States are to be required to abdicate their functions and turn over to a bureau in the Federal Government the control of milk brought into the United States and, to some degree at least, milk which is produced within the various States. It is certain that if the Federal Government controls the imported milk and sets up standards of purity, and so forth, it will soon take over the regulation of the domestic product.

The measure proposes to create an agency in the Department of Agriculture and to appropriate \$50,000 for the first year to aid in the enforcement of the measure. Of course, if this bill is passed, it means another bureau within the next year or two, with a large personnel and with power to promulgate regulations, penal in character, and to make regulations prescribing what acts or omissions shall be crimes punishable in the Federal courts of the United States.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Utah yield?

Mr. KING. I am glad to yield.

Mr. ROBINSON of Arkansas. Day before yesterday, when this bill was brought before the Senate, I was advised, after making some inquiry concerning the bill, that the Senator from Massachusetts [Mr. WALSH] desired to be present when the bill was taken up for disposition.

Mr. LENROOT. He was here this morning.

Mr. ROBINSON of Arkansas. The Senator from Massachusetts came into the Chamber during the consideration of the bill on day before yesterday, at which time there was some discussion of the bill. I observe that he is not in the Chamber now.

Mr. LENROOT. He was here when I moved to take up the bill.

Mr. ROBINSON of Arkansas. I have not observed the Senator from Massachusetts in the Chamber since the motion was made.

Mr. LENROOT. I will state to the Senator from Arkansas that the Senator from Massachusetts was present at the time I made the motion.

Mr. ROBINSON of Arkansas. Very well. If the Senator from Massachusetts was present when the motion was made and knew that it was made, I will not object to the consideration of the bill, but I will move a reconsideration if I am misinformed as to the fact.

Mr. BLEASE. Mr. President—

The VICE PRESIDENT. The Senator from Utah has the floor. Does he yield?

Mr. KING. I yield.

Mr. BLEASE. The attention of the Senator from Massachusetts was called to the bill at the time, and I heard him state that he had no further objection to considering the bill.

Mr. ROBINSON of Arkansas. Very well. I have no objection to the consideration of the bill.

Mr. KING. Mr. President, I was stating when interrupted that this bill carries an appropriation of \$50,000 for the next fiscal year and creates a new Federal agency, to which are committed duties and responsibilities which belong to the States. Only a day or two ago we passed an appropriation bill carrying \$128,000,000 to be expended by the Agricultural Department during the next fiscal year. An examination of that bill reveals the fact that the Agricultural Department is expanding its functions, increasing its power, and assuming duties and responsibilities and obligations which belong to individuals or to the States.

Perhaps no department in the Government is becoming more bureaucratic than the Agricultural Department. The good which it is doing in many avenues is in part neutralized by the bureaucratic and usurping authority which it is exercising along a multitude of lines. Undoubtedly it is quite likely that with respect to this bill the Agricultural Department is not to be charged with ambition. It is quite likely that certain of the dairy interests of the United States have prepared this measure and are lobbying to secure its passage.

I repeat, this bill extends the bureaucratic power of the Government and transfers to it the control of a subject which belongs to municipalities and to the States. There is no doubt as to the power of the States to look after the public health of the people within their borders; and if, in the discharge of that duty it becomes necessary to prescribe standards with respect to the milk which is brought into the State or sold throughout the State, it may, by appropriate legislation, deal with the subject.

The legislatures of the various States have given considerable power to municipalities to deal with all kinds of foods and food-stuffs, including milk, to the end that the people may not suffer from the use of impure food. It is manifest that the chief purpose of the bill is not to promote public health but to advance the interests of the dairymen and to enable them to charge higher prices for milk.

As I stated a few moments ago, the prosperity of the dairymen is desired by the American people. Indeed, it is desired that all industries and business enterprises shall be prosperous, but it is questionable whether prosperity should be brought to an industry by legislation which aids in the establishment of a

monopoly. Monopolies have always been and are odious. An oil monopoly or a monopoly in any of the articles entering into the lives of the people is not to be desired.

Whenever the price of any article of consumption is advanced it means, of course, that those who purchase the article are compelled to pay a higher price. I am unwilling to support a measure which has for its object the creating of a monopoly in any business. There may be reasons justifying this measure, but if so, I should like to be advised before voting for it.

Mr. President, I repeat that the States can care for the public health of the people. If impure milk is being brought into the State, its legislature can deal with the matter. Some time ago, as I am advised, the State of California interdicted the importation into that State of a certain kind of fruit, claiming that it would injuriously affect a similar product grown in the State. There are many examples of State legislation and municipal legislation or ordinances dealing with products brought from beyond the borders of States and cities. If the State of New York or the city of New York finds that milk from Canada is impure or does not reach a certain standard necessary for the public health, then they have the authority to prevent its sale within the State or the city.

If this bill is in the interest of public health, then it is a work of supererogation, because the States and their political subdivisions have ample power to deal with the entire question. If the people of New York believe that, in the interest of public health, all cows producing milk should be subjected to a test, and that if this is not done, the milk of such cows can not be sold within the State, undoubtedly the State has the power to pass such laws and regulations as would effect the desired object.

Because Canada may have shipped milk into the United States which does not meet the tests of purity required in New York or any other State, it is no reason why the Federal Government should take over the subject, enact amendments to the penal code, and enforce regulations which are purely local in character.

Mr. President, this bill is an evidence of the paternalistic measures which are constantly being forced through Congress. It is a manifestation of the lack of interest the people have in their domestic affairs and their willingness to surrender to Federal bureau matters which belong to the States. It is in harmony with the centralizing tendency which seems irresistible, and which bears upon its mighty crest Senators, Representatives, and Presidents, and, indeed, the people themselves. It looks to the ultimate submergence of the States and their being compounded—in the words of Marshall—into one mass.

Mr. President, in my opinion the bill needs amendments before it is passed; and if its purposes are as I believe them to be, then it should not pass at all.

I regret being compelled to leave the Chamber to attend a committee meeting, but hope Senators will consider its provisions before they give their assent to its passage.

Mr. WALSH of Massachusetts. Mr. President, when the milk bill was before the Senate a few days ago, I felt obliged to object to its consideration at that time because of some requests made by residents of the State of Massachusetts. Since that time I have made some inquiries about this bill.

From my own inquiries and investigation I have found that though certain dairy interests of my State seem to favor this legislation, and others favor it on the ground of promoting public health, there is on the other hand a prevalent impression that it is a bill which aims to divert from the consuming public of New England Canadian cream and milk, and to compel them to purchase dairy products from the Middle West, which would mean both an increase in price and a lessening in quality because of the long freight haul. That seems to be one of the commonest objections made to the bill.

Of course, the Senator from Wisconsin knows that New England is not able to produce sufficient dairy products for its own consumption, that it must go to outside sources, and that the Canadian market is very accessible. Therefore any tariff barriers, or any unnecessary restrictions that are imposed by Federal legislation, mean an increased cost of these very essential commodities to the great population of our industrial centers. This is a serious matter, made still more serious by the inevitable deterioration of milk subjected to additional hours or days of transportation.

I would like to be assured by the Senator from Wisconsin that behind this bill there is not a hidden purpose to divert the milk and cream market from Canada to other parts of the United States, which would ultimately result in increased prices to the consumers of New England.

Mr. LENROOT. Mr. President, this is the first intimation I have had from any source that there was any such purpose. I will say to the Senator frankly that, aside from the purpose

of protecting the public health, the bill is in the interest of the dairy farmers of the Senator's section, of all of New England and other border States, in this, that the dairy farmers are required, under their own State laws, to comply with certain sanitary conditions in relation to production, which does increase the cost of their production. From the economic standpoint, which is very subordinate, that does constitute a discrimination against the dairy farmers of New England and other border States, in that it permits milk to come in from other countries where the producers are not required to submit to like standards. So far as diversion from the West is concerned to supply New England or the other markets of the East, I have not even heard that intimated.

Mr. WALSH of Massachusetts. Mr. President, what the Senator has said would be satisfactory if the near-by native supply were sufficient for the demands of New England. But about 80 per cent of the food products of New England must be gotten outside of that territory. Canada is very accessible, only a few hours' run by rail from Massachusetts. We must, in the interest of keeping down the cost of living, seek to get our necessary oversupply from the nearest possible market at the lowest possible cost of transportation.

If New England farmers produced sufficient milk or cream to supply the needs of the residents of that section, the contention of the Senator would be sound, but we must go elsewhere, and naturally we want to go to the nearest points of transportation. To compel us to go to the Middle West when there is a clean, wholesome supply in Canada is an injustice.

Of course, the argument that this legislation is necessary to protect the public health is answered by the consideration that the several States now have exactly that power, and, in fact, exercise it. No milk can enter Massachusetts from Canada without compliance with any health regulations our State sees fit to establish. What reason have we to assume that the National Government will be more efficient in the performance of this duty than the several States?

Mr. LENROOT. Mr. President, I will say to the Senator that this is what will happen: There will not be any substantial decrease of importations from Canada, but this would compel the production in Canada under practically the same standards required of the milk producers in the United States. To that extent it will not permit the importer of milk from Canada, by reason of the costs there, to beat down the price of the New England dairy farmer, but the costs of production will then be upon a parity, and the Canadian producers will meet the regular competition.

I have been speaking of the economic aspect. Now, if I may be allowed just a word more, the primary purpose, of course, is the protection of public health. For the protection of public health two things are required by all States that have given much attention to this proposition. One is the testing of the milk itself when it is used for human consumption, the test as to bacterial content, the degree of temperature, and so forth. The other is going to the farm itself and requiring certain sanitary conditions upon the farm.

The first matter can be met by city ordinances, by State laws. The second can not be met at all, in so far as foreign production is concerned, without a Federal law.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield for a question? I ask for information.

Mr. LENROOT. I yield.

Mr. ROBINSON of Arkansas. Are there in existence now any regulations authorized by law for the inspection of milk imported into this country?

Mr. LENROOT. No; none whatever.

Mr. WALSH of Massachusetts. I will say, in reply to the question of the Senator from Arkansas, that it is contended there is a better inspection in Canada than there is in some of our Western States; further, the National Government will have no more power to inspect Canadian farms than the several States have if they see fit to use it.

Mr. REED of Missouri. Mr. President, I want to ask the Senator from Massachusetts a question. Is it not true that there are laws and regulations in the State of Massachusetts for the inspection of milk?

Mr. WALSH of Massachusetts. We most certainly have very strict laws for the inspection of milk.

Mr. REED of Missouri. Is there any reason why the inspectors can not condemn impure milk, though it happens to be produced in Canada?

Mr. WALSH of Massachusetts. There is no reason at all why the authorities can not so act, and in fact they do actually condemn impure milk produced in Canada or elsewhere. Furthermore, there is no record that I know of of any impure dairy product being brought from Canada into Massachusetts or other parts of New England. Thus, it would seem, that

the proposed legislation has not been made necessary because of abuses in the past. This is one of the reasons why there seems to be some ground to the contention that there is a hidden purpose here to divert the New England supply from Canada to other sections of our own country.

Mr. REED of Missouri. The Senator from Massachusetts asked the Senator from Wisconsin if there was a certain purpose behind the bill. The Senator from Wisconsin may be advised as to a purpose, but certainly the Senator from Wisconsin and no other Senator can give any assurance as to how the measure will be employed if we once enact it into law. It will then rest with the Department of Agriculture and its agents to employ it in whatsoever way they may see fit to employ it. So no assurance given here can help us, and I say that with all the respect in the world to the Senator from Wisconsin. He can not tell what will be done. The Senator from Massachusetts states that he knows of no instance of complaint in his State as to Canadian milk.

Mr. WALSH of Massachusetts. None whatever.

Mr. REED of Missouri. Can the Senator give us any information as to the persons who originated this legislation and made the complaint?

Mr. WALSH of Massachusetts. I have asked the Senator from Wisconsin [Mr. LENROOT] to answer the allegation that the purpose of the legislation is to divert certain dairy products from western farms into New England and to eliminate the Canadian supply. In other words, I would like to know if this bill does not really seek, under the pretense of health promotion, to eliminate competition and force the use of domestic production at an increased cost to the consumers; and with a reduced rather than lessened assurance that the milk and cream will be fresh, free from disease germs, and otherwise fit for human consumption on account of the longer distance from which it must be gathered, if compelled to go to the West rather than to Canada.

Mr. McNARY. Mr. President, I perhaps can answer that question as I made the report on the bill from the Committee on Agriculture. The great dairy interests in America are back of the bill and proposed the legislation in this particular form, the purpose being to standardize the quality of milk consumed by American consumers of milk. It attempts to make all milk that comes to this country comply with a certain policy and conform to certain requisites. The milk produced at home and the milk produced in Canada or any other foreign country must be subject to the same tests. It places the American farmer and producer on a parity with the farmers and producers of any other country solely for the purpose of insuring a supply of pure milk.

It is probable that some of the large cities like Boston and New York require milk to be taken from tubercular-tested cattle, while some require Pasteurization. Many rural communities have not those facilities and must take impure milk or milk that does not comply with the standard requirements now imposed upon the dairymen of this country. The reason is sanitation, on the one hand—that is, those who believe in the health of our people—and on the other hand, the milk producers of the country who have barns which are standardized, and who ultimately conform to the sanitary requirements of the State and country, feel that their competitors should be compelled to conform to the same standards they are compelled to meet and to supply the same wholesome milk.

Mr. WALSH of Massachusetts. May I ask the Senator if the bill proposes to establish national uniform regulation and inspection of dairy products, milk and cream?

Mr. McNARY. It does not go quite that far. It is the first step. It is thought that later perhaps Congress would attempt, under the commerce clause of the Constitution, to make those regulations uniform and general throughout the country. The bill does conform to tests prescribed in Boston and New York and the other cities. Though not wholly national in its application, it meets a situation which it is thought should be met in the interest of those who consume milk.

Mr. REED of Missouri. Does the Senator think that Congress, under the commerce clause of the Constitution of the United States, can make regulations as to the sale of milk produced within a State and sold within the State?

Mr. McNARY. Certainly not. That is a very childish question to propound.

Mr. REED of Missouri. It may be childish, but it is certainly within the purview of what the Senator said.

Mr. McNARY. Not at all.

Mr. REED of Missouri. It may be a childish question, but I say it is a childish proposition that we can standardize milk in the United States by standardizing the milk that is shipped into the United States.

Mr. McNARY. That may be the Missouri viewpoint, but it is not mine.

Mr. REED of Missouri. I said it was a childish proposition.

Mr. McNARY. I can say, without being a great dairyman and without being a great constitutional lawyer, that there is sufficient power vested in the Congress to require that milk produced in foreign countries shall conform to regulations proposed by Congress in order to be brought into the United States.

Mr. REED of Missouri. Nobody denies that.

Mr. WALSH of Massachusetts. The reply of the Senator from Oregon is enlightening. It is evidence to us that in due time the bill proposes to take away from the several States the authority to regulate the inspection of their own milk supplies and other dairy products. It is an attempt to create a national law for the control of dairy products, with exactly the same features that are contained in other recent efforts to substitute Federal for State control.

I think that we are entering into a very dangerous zone when we begin, step by step, to take away from the several States their right to control and regulate matters of this kind and place them in the control of the National Government. I am surprised to learn from the Senator from Oregon that this is only the beginning of a movement to place all this class of legislation in the control of the National Government, that we are just entering upon a movement to remove from the several States their authority to apply their own standards and their own tests in the protection of public health and in the regulation of their food products.

Mr. McNARY. Quite the contrary.

Mr. WALSH of Massachusetts. I am sorry if I misunderstood the Senator.

Mr. McNARY. No one believes that this Congress or any other Congress has the right to say to the States that they must adopt certain standards for milk produced in those States. If that should be attempted, the only effect it would have would be on milk and dairy products moving in interstate commerce, which comprise a very small portion of the total consumed. To that extent I said it might sometime and ultimately have a wide application.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. Certainly.

Mr. COPELAND. We hear often in this body such expressions as "Let us stand up for America, let us protect America." That is exactly what we are proposing to do in this bill. We are now permitting to come into the country a comparatively small amount of milk—that is, only 60,000 or 80,000 quarts a day. New York daily consumes 3,000,000 quarts, so this is a negligible quantity. But the farmers of my State and the farmers of New England and the farmers of Ohio are compelled to conform to certain sanitary standards and bacterial standards as regards milk, while the farmers of Canada at the present time are permitted to send here milk which may be teeming with bacteria and produced under conditions a great deal cheaper than the American farmer can produce it, thus enabling the Canadian farmer to compete unfairly with the American farmer.

Mr. BRATTON. Mr. President, will the Senator from Massachusetts permit me to propound a question to the Senator from New York?

Mr. WALSH of Massachusetts. I yield for that purpose.

Mr. BRATTON. Has not the State of New York ample authority to deal with that matter by legislation? If the people of New York do not want to consume milk produced in Canada under those circumstances, is not the State of New York abundantly able to prohibit the distribution of Canadian milk unless it comes up to the standard which is prescribed by this legislation? And if so, what is the justification of the Federal Government invading this field and undertaking to say on behalf of the people of New York what kind of milk may be distributed and sold in the markets of that State?

Mr. WALSH of Massachusetts. If New York is not capable of doing it, the Federal Government is not capable.

Mr. COPELAND. The State of New York is amply competent to deal with the problem, and it is doing so. But there are certain standards which are maintained by the cities of New York State which are very much higher than those maintained by the rural communities. When this milk is brought in to the United States and rejected in New York, it is sent to other States of the Union where they have no such standards.

Mr. BRATTON. Are not those other States able to protect their citizens with suitable legislation?

Mr. COPELAND. Yes; they are.

Mr. BRATTON. If the city of New York maintains a higher standard than the rural communities of the State, is not the State abundantly able to deal with that situation?

Mr. COPELAND. Absolutely.

Mr. BRATTON. What can be the justification for the Federal Government saying through legislation of this character what kind of milk shall be consumed, and taking the position that the States shall not deal with the subject matter through State legislation?

Mr. COPELAND. I realize fully that it can be dealt with as a State proposition, and I suppose on this side of the Chamber that is the doctrine which ought to be preached, but at the same time the matter under discussion is very intimately related to the health and lives particularly of infants of the country.

Mr. BRATTON. I agree with that statement.

Mr. COPELAND. It seems to me that in the interest of the dairy producers, in the interest of public health, the measure should be enacted into law. It does not embarrass anybody. The dairy farmer of Canada can send his milk into the United States if he conforms to our standards. As a matter of fact, the objecting distributors are not worried about fluid milk. They are worried about cream. If the people of any other State are satisfied to have contaminated cream shipped in from the interior of Canada, where it is produced under absolutely unsanitary conditions, and if the people are satisfied to have ice cream made of that sort of stuff and sold to them, I would be satisfied to have an amendment to the bill that would take care of such cream. But so far as the dairy farmers of my section are concerned, and so far as the citizens of my State are concerned, we are against it. For the protection of life, I stand for the bill and think it should be enacted into law.

Mr. BRATTON. The Senator from New York admits that his State is able to protect its citizenship so far as the scope of this bill is concerned, and that every other State is able to do the same thing. The only justification offered for the bill is that it is humanitarian in its purpose and tends to develop, promote, and protect health.

Mr. COPELAND. No; I did not say that.

Mr. BRATTON. Then I misunderstood the Senator.

Mr. COPELAND. I said the bill also has economic features connected with it. It is for the protection of the dairy industry as well.

Mr. BRATTON. Is not each State able to protect its dairy industry?

Mr. COPELAND. Yes; each State is able to protect its dairy industry, but are we never to enact any legislation which is for the protection of America against a foreign country, and must we waive forever, even on this side of the Chamber, the question of the right of the State to deal with a particular problem?

Mr. BRATTON. I do not think the Senator is justified in saying "Are we required forever to raise the question of the rights of the States."

Mr. WALSH of Massachusetts. I might suggest that the consumer has some economic rights as well as the producer of the dairy products.

Mr. BRATTON. The fact that the bill may be wholesome in its purpose does not justify the Federal Government in invading the field of legislation. I do not question the purpose of the bill. The question is which sovereignty should deal with it; that is, the Federal Government or the several States.

Mr. LENROOT. Does the Senator think it is invading the field of State legislation to regulate the importation of any commodity from a foreign country?

Mr. BRATTON. I do not.

Mr. LENROOT. If there is anything that is exclusively Federal, it is that kind of a question.

Mr. BRATTON. But the Senator is unable to picture any situation in his or any other State, so far as the purpose of the bill is concerned, that his State can not abundantly protect.

Mr. LENROOT. Oh, yes; I can.

Mr. BRATTON. I would be happy to have it.

Mr. LENROOT. My State requires certain sanitary conditions in regard to the production of milk, the cleanliness of barns, and so forth. My State has nothing to say about how milk imported from Canada shall be produced or the kind of sanitary conditions in Canada which shall be requisite for the importation of milk into this country.

Mr. BRATTON. But the Senator's State could prohibit the distribution of milk in his State for local consumption unless it came up to a certain standard.

Mr. LENROOT. Only as to a test of the article itself; but it could not say that unless the milk is produced in Canada under certain conditions it should not be imported into the State. That would be beyond the power of the State.

Mr. BRATTON. But the Senator's State could prohibit the distribution of that commodity unless it came up to any prescribed standard.

Mr. LENROOT. On a test of the commodity itself.

Mr. BRATTON. And the standard could be exactly as high as, or even higher, than this bill proposes.

Mr. LENROOT. There are two tests of milk with reference to public health. One is the test of milk or cream itself as to the bacterial content, temperature, and so forth, and the other is as to the conditions of production. Both combined are what insure the purity of milk. One of the tests the State can impose; the other the State can not.

Mr. BRATTON. The Senator, I am sure, does not question the power on the part of his State to prohibit the distribution of milk unless it comes up to any standard which his State, through its legislature, is minded to make?

Mr. LENROOT. Any standard that can be determined by a test of the commodity itself. That I agree to, but nothing further. If purity can not be wholly determined by such a test, and something else is required to bring milk to the highest purity, it is beyond the power of the State to require that other thing. If it were not for that, why should the States require, in addition to tests of the commodity, certain sanitary conditions and requirements to be fulfilled upon the farm?

Mr. BRATTON. The Senator does not undertake to say that the Federal Government has any superior knowledge above the States in a matter of this kind?

Mr. LENROOT. Certainly not. But the Federal Government is taking the knowledge of States like New York and that is what this bill is based upon—the standards of the Board of Health of the State of New York—and simply providing that as to milk imported from foreign countries it shall comply with the provisions required by the standards of one of the greatest States in the Union.

Mr. BRATTON. This bill does not give the Federal Government the power to inspect conditions in Canada under which the milk is produced. It simply forbids the importation of the milk until it shall come up to certain standards.

Mr. LENROOT. That is true.

Mr. BRATTON. Any State can do the same thing.

Mr. LENROOT. No; I beg to differ from the Senator.

Mr. BRATTON. Unhappily, then, we differ. I hold that any State can prohibit the distribution of milk within her territory unless it comes up to any standard which that State is minded to fix.

Mr. LENROOT. If that standard can be determined from a test of the commodity itself that is true, and provided that the test is reasonable. I can not agree that any standard may be applied. If it is shown that an article is entirely healthful, recalling the child-labor case, the State would not have any authority to prohibit the importation within the State of that article.

Mr. BRATTON. I did not say importation; I said distribution.

Mr. LENROOT. Or the distribution within the State of the article. I submit the State has no authority to prohibit the distribution within the confines of the State of any article unless such prohibition can be grounded upon the article being deleterious to the public health or some other of the well-recognized rules as to the application of police power.

Mr. BRATTON. Is not that the very foundation on which the Senator undertakes to press this measure?

Mr. LENROOT. The distinction is that the Federal Government in its dealings with foreign commerce, with foreign relations, may absolutely exclude—I am speaking now of the power—if it sees fit, the importation of any foreign article. The State, however, has no such power. Therefore the Federal Government as is proposed to be done in this bill may provide conditions under which importations may be made that no State would have the power—speaking again only of the power—to invoke.

Mr. BRATTON. I agree with the Senator that, perhaps, the Federal Government has greater power, but this bill does not undertake to exercise it. If this bill can be justified at all, it must be on the theory that the importation of milk is deleterious to the public health; and I undertake to say that the State has the power not to prohibit the importation but to prohibit the sale and distribution upon the local market or to prohibit the local distribution of venders or from seller to purchaser of any milk unless it shall come up to a standard which that State may fix.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from New Mexico yield to me?

Mr. BRATTON. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. The Senator's statement is absolutely correct; and it may be interesting to him to know, in addition, that my information is that the milk producers and distributors have agreed with the State authorities in Massa-

chusetts that actual inspection shall be made in Canada of the sources of milk supply, so that there is the actual inspection in Canada applied to the milk and cream that comes into the State of Massachusetts from that country.

Mr. BRATTON. I thank the Senator from Massachusetts for his suggestion. It is quite relevant and helpful.

Mr. LENROOT. Mr. President, if the Senator from New Mexico will yield further, I desire to say that I do not think the Senator from Massachusetts is familiar with the hearings upon that very question as to the kind of inspection there is in Canada. We took a great deal of evidence on that subject.

Mr. WALSH of Massachusetts. I do not claim that it is the same inspection which is made locally, but there is an inspection made.

Mr. COPELAND. Mr. President, I should like to reply to that suggestion. Of course, the State of New York has no right to go into Canada and to inspect any dairies there.

Mr. BRATTON. Neither has the Federal Government.

Mr. COPELAND. That is true; neither has the Federal Government such right.

Mr. BRATTON. So we are agreed that far.

Mr. COPELAND. We are.

In order that there may be inspection at the source, this bill is so framed that milk may be admitted into the United States provided it comes from a source where the herds are tuberculin tested and are free from tuberculosis, or provided it is taken by creameries which may ship it into Boston or New York and other cities but which Pasteurize it before it is sold. In that way the health of the people is safeguarded. We are providing for a method of dealing with the problem for which no State can possibly provide.

Mr. BRATTON. Let us see about that. The Senator from New York says that the State of New York has no power to go into Canada and inspect dairies or the conditions under which the milk is produced, and neither has the Federal Government; but the Federal Government under this bill undertakes to say that Canada shall not export milk into the United States unless she gives the Federal authorities the right to come into Canada and inspect the conditions under which the milk is produced; otherwise, the importation of milk is forbidden. State authorities can not go into Canada arbitrarily and inspect the conditions under which the milk is produced, but the State can say that milk can not be sold within the State until officials on behalf of that State are permitted to go into Canada for such purposes or otherwise satisfy themselves respecting the conditions under which the commodity is produced, just as the officials of the Federal Government would have to be satisfied under this bill.

Mr. REED of Missouri. Mr. President—

Mr. BRATTON. I yield to the Senator from Missouri.

Mr. REED of Missouri. I wish to make a suggestion. This bill ought to go over. It is manifest that it is a very important bill and can not be properly discussed in the few minutes that are left. Some of us want to study the bill and its ramifications, and read the hearings. I make the suggestion that the bill be allowed to go over until to-morrow so that we may have a chance to study it.

Mr. BRATTON. I quite agree with what the Senator from Missouri has said. I do not oppose the theory of this legislation upon this subject; I think it is wholesome; it is salutary, and points in the proper direction; but I seriously question the justification of the Federal Government invading the field so long as the States are abundantly able to take care of their respective citizenships.

Mr. BRUCE. Mr. President, may I suggest to the Senator from New Mexico that there might well be some doubt as to the power of the Federal Government to deal with milk at all after it has become a part of the common mass of property of the State. As I understand, the milk in question is not necessarily shipped from the producer direct to the consumer, but is probably sold in wholesale quantities in the different cities of the States. In that event of course the milk becomes a part of the common mass of property in the State and is subject, as the Senator from New Mexico contends, to State regulation, but not to Federal regulation at all. Let me cite a recent case. Natural gas was manufactured over in the State of West Virginia and brought into western Maryland. The Public Service Commission of Maryland undertook to prescribe rates at which that natural gas should be sold. Of course, the contention was at once set up that that was a matter of exclusive Federal cognizance and that the Public Service Commission of Maryland had no power to fix rates in relation to that natural gas. The reply to that was that the gas had become impounded in the State of Maryland in the deadheads of mains and pipes and that therefore it had become a part of the common mass of property of the State of Mary-

land; and that view was upheld by the Supreme Court of the United States.

Mr. BRATTON. Mr. President, the Senator from Maryland has raised an interesting question. I am not prepared to go quite that far at this time, although I confess it is worthy of serious consideration. He has stated it with his usual clarity. Assuming, however, that the Federal Government has the power under the commerce clause of the Constitution to enact legislation of this kind, I still oppose the policy of the bill. I do not believe that under the commerce clause of the Constitution the Federal Government is justified in invading any field of legislation except under circumstances where the State can not adequately deal with the subject matter because the field is necessarily interstate in character, so that one State alone is powerless to deal with it. The author of the bill has been unable to set forth, satisfactorily to my mind, at least, any situation under which any State in the Union is unable to protect its citizenship perfectly without the assistance of the Federal Government.

Mr. LENROOT. I was most unfortunate if I failed to impress what I had in mind upon the Senator from New Mexico.

Mr. BRATTON. Mr. President, I am exceedingly unfortunate if I have been unable to understand the Senator from Wisconsin, who always expresses himself with great clearness.

Mr. LENROOT. I certainly do not for a moment agree with what I gather is the Senator's opinion that a State has the authority to make any condition that it sees fit with reference to the sale and distribution of a commodity within that State imported from another country or State. I can not agree with the Senator if that is his view.

Mr. BRATTON. Upon the local market?

Mr. LENROOT. Yes; upon the local market. It can not prohibit the sale of a healthful article under the guise of regulation.

Mr. BRUCE. Mr. President, if I may make a suggestion to the Senator, suppose that a commodity has entered a State and has become blended with the common mass of private property in that State, what then?

Mr. LENROOT. Then another rule comes into play. They can not then regulate it.

Mr. BRUCE. The Federal Government, then, certainly would have no power to regulate. I will say to the Senator from New Mexico that, in so far as the question of jurisdiction is concerned, I think he overlooks the fact that, in the light of latter-day theories of State rights, this bill could be very readily shaped up in such a way that it would give the Federal Government full cognizance of this subject. All the Federal Government would have to do would be to enact a law providing for a Federal board of milk inspection and making an appropriation and then stipulating that no State should get the benefit of that appropriation unless it matched it with an equivalent State appropriation. Then the whole object would be accomplished.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BRATTON. I yield to the Senator from New York.

Mr. COPELAND. Mr. President, I wonder if I can say a word that will be at all illuminating.

Mr. BRATTON. Any word the Senator from New York may say will be illuminating.

Mr. COPELAND. That is very generous of the Senator. I think it is generally conceded that the State of New York would have no right to set up a law to prevent the importation of a product from a foreign country. That is true, is it not?

Mr. BRATTON. Certainly it would have no power to do that.

Mr. COPELAND. Very well. There is this practical aspect of this question:

As the Senator from Maryland [Mr. BRUCE] or somebody else said a little while ago, this milk is not brought in wholesale from Canada. It is delivered to creameries on the American side by individual Canadian farmers. The only way in which we can guard ourselves against impure milk, unless we have a provision of this sort, is by some sort of inspection of the milk when it comes into the country or across the line.

Mr. REED of Missouri. Mr. President, will the Senator let me ask him a question?

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from New Mexico yield to the Senator from Missouri?

Mr. BRATTON. I yield to the Senator from Missouri.

Mr. REED of Missouri. The Senator says that the milk is hauled by Canadian farmers to American dairies. All right. How is the milk that is hauled to the American dairy by the American farmer protected against?

Mr. COPELAND. Will the Senator repeat his question?

Mr. REED of Missouri. If an American farmer hauls milk to the same American dairy, what is the *modus operandi* for protecting the people against his impure milk? It is inspected; is it not?

Mr. COPELAND. The way in which the consumer of the milk is protected so far as New York City is concerned is that the milk is Pasteurized, whether it comes from the American farmer or whether it comes from the Canadian farmer.

Mr. REED of Missouri. All right. Now, the Canadian farmer brings in a pail of Canadian milk and dumps it into a vat, and the American farmer brings in a pail of milk and pours it into the vat. Now comes the question of protection. New York State says it shall all be Pasteurized. The Canadian pail of milk is Pasteurized the same as the other, and if it is not Pasteurized it can not be sold in New York.

Mr. COPELAND. No, Mr. President; that is not correct. I spoke about New York City protecting its supply.

Mr. REED of Missouri. All right.

Mr. COPELAND. But as a matter of fact the individual Canadian farmer living 2 miles from the line drives into the American creamery with a can of milk, 40 quarts of milk, which is dumped into the common vat in that creamery. All the rest of the milk in that vat comes from farms in the State of New York, which are inspected, and the cattle are inspected, so we know that the New York State milk is pure milk; but the 40 quarts of milk coming from the Canadian farmer may contaminate the whole lot. In consequence there may be an epidemic of scarlet fever or there may be some cases of tuberculosis or there may be some other disease which may be conveyed by milk by reason of the 40 quarts dumped into the American vat by the Canadian farmer.

Mr. REED of Missouri. Mr. President, then will the Senator tell us, since he has gotten outside of the city of New York, why the State of New York can not pass a law that will provide that milk that does not conform to the New York regulations shall not be mixed with the milk produced in the State of New York?

Mr. COPELAND. If the Senator from New Mexico will permit me—

Mr. BRATTON. I yield to the Senator from New York.

Mr. COPELAND. I may say that New York is anxious to have the Canadian milk; it wants the Canadian milk; but it wants to safeguard the health of its people by requiring that the Canadian milk farmer shall meet the same sanitary conditions that we require in the State of New York.

Mr. REED of Missouri. Will the Senator, then, tell us why the State of New York can not prohibit the sale of Canadian milk unless it is certified and proven, the same as domestic milk, to have been produced under healthful conditions?

Mr. COPELAND. I should like to ask the Senator from Missouri in reply, what reason is there, in the name of common sense, why a law of this sort should not be enacted by Congress, in order that the citizens of all States may be protected?

Mr. REED of Missouri. Simply because every State has the right to regulate this matter for itself. The argument the Senator makes could be applied generally to all legislation and to all matters within all States. You might as well ask why Congress should not prohibit the commission of ordinary crimes in the States. The answer is, simply because it is the business of the States.

Mr. BRATTON. You might just as well say that the Federal Government should set up a standard for the practice of medicine in New York as well as all of the other States of the Union. If uniformity is the justification for the passage of this bill, it could be applied with peculiar force to the practice of medicine, because the practice of that science has to do with life and health in an incomparable way. Yet, no one proposes Federal legislation on that subject.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BRATTON. Yes; I yield.

Mr. COPELAND. It seems strange to me to have this position taken by the Senator from Missouri, who, more than any other man in this body, is always waving the American flag, and saying, "Let us stand up for America!" Now, we have here a proposal which has to do in the first place with the protection of the lives of American citizens, and in the next place it has to do with the protection of the great dairy industry of this country.

Mr. REED of Missouri. Mr. President, I have stood for protecting the rights of America, and I hope that I am still standing there, and I hope every other man in the Senate is standing there. We all may have different views as to how the rights of America are best to be protected, but I am sure

everybody is equally sincere in his desire to protect them; but what has that to do with this question?

It is proposed here that no milk can be imported into the United States unless it meets certain specific requirements, which, it appears, are those of New York City; and, of course, that ought to settle the question of their being right. If New York City has them, all the rest of the world ought to take that dose at once. Let us assume that they are right. The Senator from New York thinks that everybody else in the United States ought to be protected in exactly the same way that the citizens of New York are protected by their local laws, and hence he wants to extend the ordinances of New York City to the Nation by this process.

There is another principle that has to do with protecting America, not from enemies abroad, but from foolish propositions from within—and I am not so characterizing this. I do not say that it is foolish, and I do not say that the Senator is foolish for being for it. That principle is that we have certain sovereign States in the United States; that they are presumed to know enough to attend to their own business and protect their own people; and that when a quart of milk lands in any one of these States, and it is proposed to sell it to anybody, that State has jurisdiction over that milk, and that State can regulate or prohibit the sale of that milk for the purpose of protecting the life and the health of its citizens. Its regulations must be reasonable, of course. Is it said that this proposed law is to be unreasonable, and hence is to go farther than the States could go? If so, it ought not to be enacted. The State can protect, by reasonable regulations, the shipment or use of that commodity within the State. The difference between the Senator and myself is that I think the State knows enough to take care of its own business, and that this is a matter that does not belong to the Federal Government. When by the Constitution we reserved to the Federal Government the right to regulate importation into this country it was never intended at the time that it should be used as a means of depriving the States of the right to regulate the sale within the respective States of anything which the people thereof thought was proper.

The States can protect, and they have protected. If there is anything back of this bill, it is the desire of a few milkmen to shut off a competition. If the Federal Government can insist that milk shall be certified in a certain way by the Canadian Government before it can be shipped into the United States, the State of New York can say that no milk shipped from foreign parts shall be sold there unless there is a certificate produced, and it can sustain that upon the ground that it is a regulation for the purpose of protecting the health of the people of the State.

Mr. BRUCE. Mr. President, I suppose the Senator bases that on the line of reasoning so often resorted to—to uphold State quarantine regulations?

Mr. REED of Missouri. Yes.

Mr. COPELAND. I feel that the State of New York can not guard itself adequately against the importation of contaminated milk. So far as New York City is concerned, we have no interest in this bill except to make it possible for the Canadian farmer to bring his milk and safe milk to New York, because we want that amount of milk. New York City now gets milk from seven States of the Union as well as from the Dominion of Canada. We need that amount of milk; but we have no present means of protecting against the contaminated milk of the individual farmer who lives over the line and brings it into the creamery on the American side. We are not permitted to inspect his dairy and herds. It is too expensive to inspect every individual shipment. This is not a matter between the States; this is a matter between the United States and Canada; and it would seem to me that the Senator from Missouri, who always seeks to protect American rights, ought to seek to protect the health of the people as well as their political rights.

Mr. REED of Missouri. Having this job of protecting American rights, I am trying now to protect the Senator from New York from the blunder of claiming that when milk gets into the United States, and somebody proposes to sell it, it is not subject to the control of the laws of the State where it is being sold.

Mr. COPELAND. Of course it is, Mr. President; but that would mean the destruction of the milk. That would mean throwing it away. We are trying to bring about the enactment of a law which will permit the Canadian farmer to sell his milk in the United States, and to bring in milk which we will be justified in buying.

Mr. REED of Missouri. Is he not permitted to do that now? And if he brings it in in good shape now, can not your milk inspectors pass it as good? What is the trouble with it?

Mr. BRATTON. Mr. President, I am unable to follow the Senator from New York in his statement that, in the absence of legislation of this kind, the milk from Canada would be thrown away. No sovereignty, whether it be the Federal Government or a sovereign State, has the right to go into Canada to satisfy itself respecting the conditions under which dairy products are produced there. In the final analysis that right must be given voluntarily by the Canadian people or the Canadian authorities.

The only thing the Federal Government can do, even by stretching the commerce clause of the Constitution, is to forbid the importation of dairy products until the Federal authorities are satisfied that such products have been produced under wholesome conditions and approved circumstances.

Mr. COPELAND. No, Mr. President; if the Senator will yield—

Mr. BRATTON. I yield.

Mr. COPELAND. That was the situation under the bill as it was originally drawn, but a very important amendment has been added. If the Senator will observe the bill, on page 4, beginning at line 13, he will find that it provides that the Secretary of Agriculture is directed to waive the requirements when this milk is sent to creameries within a distance of 20 miles and when it is intended that the milk shall be Pasteurized before it is sold.

The Federal Government can not undertake to go into Canada to inspect dairies, of course—that is utterly out of the question; but these creameries, owned by the distributors of milk, can require of the farmers who desire to sell to these particular creameries a certain sanitary standard which they, the creameries, will attend to. So the thought of the authors of the bill—and, by the way, I had nothing to do with the drawing of the bill, and it was here before I knew about it—was to protect the American farmer against unfair competition, to protect the American consumer against the possibility of disease, and, at the same time, make it possible for the Canadian farmer to sell his milk in this country.

Mr. BRATTON. Mr. President, I had not proceeded far enough to make my meaning known to the Senator from New York. I undertook to say this, that, in the final analysis whether the power be exercised by the Federal Government or a State, there is no way to compel citizens or officials of Canada to permit either the Federal Government or State officials to invade Canada to determine whether milk or any other dairy product was produced under sanitary conditions.

Mr. BRUCE. Mr. President—

The PRESIDING OFFICER (Mr. ROBINSON of Arkansas in the chair). Does the Senator from New Mexico yield to the Senator from Maryland?

Mr. BRATTON. I yield.

Mr. BRUCE. Does not the Senator mean that there is no legal way of compelling them? There would be a practical way, of course, because certain conditions could be annexed by any State of the Union or by the Federal Government to the importation of milk from Canada.

Mr. BRATTON. The point I make is that neither sovereignty has the legal right to go into Canada for that purpose, so that in the final analysis, whether the power be exercised by the State or the Federal Government, the penalty to forbid the consumption of such products by our people. In other words, if the Federal Government undertakes to exercise the sovereignty, it says that milk shall not be imported into this country until the Federal Government is satisfied that the milk has been produced under certain standards of sanitation and purity and wholesomeness that satisfy the Federal authorities. If the State is exercising the authority, it may say that the product shall not be sold in the local markets of the State until that sovereignty is satisfied that the product has been produced under circumstances satisfactory to that sovereignty.

Mr. LENROOT. Mr. President, I certainly very sharply differ with the last statement of the Senator.

Mr. BRATTON. The Senator from Wisconsin has repeated that twice, and I am unhappy to find myself in discord with him upon that subject. I undertake to say that when a commodity is placed upon the local market, is separated from its original container and becomes a subject of barter and sale upon the local market, a State has ample authority to prohibit its sale unless it measures up to the standard which that State has set up. The State would have ample authority to condemn it and take steps to suppress it. This is frequently done respecting various commodities of merchandise.

The Senator from New York has submitted a hypothetical case which I desire to discuss briefly. He says that farmers in Canada cross the international border, bring their products to a creamery, where they are mixed with the products of the dairymen and the farmers of New York. They all go into one

common vat and become one common quantity, and there is no way of separating the one from the other. Will the Senator from Wisconsin contend that the State of New York is powerless to forbid that creamery to sell that commodity in New York unless it comes up to a standard prescribed by that State? Using the hypothetical case submitted by the Senator from New York, the question answers itself, that the State of New York is abundantly able, in her sovereign power as a sovereign State, to protect her citizenship against the sale of that commodity until it measures up to the standard which that State shall establish, and every other State has the same power. If so, where is the justification for the Federal Government taking that power from the States and arrogating it unto itself?

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from New York?

Mr. BRATTON. I yield to the Senator from New York.

Mr. COPELAND. I follow the Senator's reasoning, but he overlooks the important fact that we in New York are desirous of having the Canadian milk, and I can speak also of New England, because they have the same need, and I think the people of Ohio have the same need.

Mr. BRATTON. I will address myself to that.

Mr. COPELAND. That point has been disregarded so far by the Senator.

Mr. BRATTON. Oh, no, Mr. President; not at all. If the State of New York desires the milk from Canada, but the State of New York wants it to measure up to the standard set by this bill, why can not the legislature of the State of New York say that she wants the product but that it must measure up to a certain standard, and fix the standard just as high as this bill undertakes to fix it, or even higher? She can do that. She can cover the whole subject and fully protect her people by legislation harmonizing with the desires of her people. This essentially is a matter to be resolved by the sovereign people of each State.

Mr. WALSH of Massachusetts. As a matter of fact, several of the States have done that.

Mr. BRATTON. Accepting the Senator's argument that the State of New York wants the products, why can not the State of New York take them under conditions fixed by the State of New York, just as wholesome and just as salutary as this bill undertakes to fix?

Mr. BRUCE. Mr. President, will the Senator yield?

Mr. BRATTON. I yield.

Mr. BRUCE. As I understand the reasoning of the Senator from New Mexico, this is one of those cases where the jurisdiction of the Federal Government under the interstate commerce clause is not exclusive. In other words, the subject matter is not of national scope, not of national concern, and therefore, so long as the Federal Government does not legislate, the State has plenary authority to legislate.

Mr. BRATTON. Exactly.

Mr. BRUCE. It has been held that falling within that class of cases are cases involving quarantine regulations of any sort. Until the Federal Government chooses to regulate in regard to quarantining passengers coming from a foreign country, the State has the right to regulate with respect to that subject. So with regard to ferries, within certain limitations, if the Federal Government has not enacted any legislation on the subject, the subject is within the control of the States. So, if I am correct in assuming that that is the line of reasoning the Senator from New Mexico is pursuing—and I think I am right—then it seems to me perfectly clear that until the Federal Government does choose to exercise the authority under some such legislation as this, the States have all the powers which are necessary for the purpose of regulating the subject.

Mr. COPELAND. Mr. President, may I say a word to the Senator?

Mr. BRUCE. Let me say further, if the Senator is right in his statement that inspection under the bill would not take hold of milk until it had become blended with domestic milk, in milk containers of one sort or another, then the Federal Government would be powerless to legislate with regard to the subject at all, because the milk then would have become a part of the common mass of private property in the State, subject exclusively to the control of the State.

Mr. COPELAND. If the Senator from New Mexico will permit me, the Senator from Maryland spoke about quarantine regulations. As a matter of fact, the Senator will recall that until very recently several of our important quarantine stations were State stations. The station at New York, where two-thirds or three-fourths of all the immigrants enter, until about five years ago was a State quarantine station.

Mr. BRUCE. Yes; because the Government had not chosen to take the matter into its hands.

Mr. COPELAND. This was found to be a matter which was of such vital interest to all the people of the country, and to every State in the country, that it seemed very wise for the Federal Government to take over those local stations, and now the New York station is in charge of the Federal Government.

Here we have a situation quite analogous, as I see it.

Mr. BRUCE. Except as to this, the milk with which such legislation would deal would be of partly foreign origin and partly domestic origin, whereas quarantine regulations originate entirely in relation to foreign conditions; that is to say, they have to do with the migration of foreigners from foreign countries into the United States.

Mr. REED of Pennsylvania. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Pennsylvania?

Mr. BRATTON. I yield.

IMMIGRATION QUOTAS

Mr. REED of Pennsylvania. It is obvious that the pending bill can not be voted on to-day, and I wondered if the Senator would be willing to yield to me to ask for the passage of Senate Resolution 318, submitted by me, calling on the President to send to the Senate a certain report as to the national origin of certain immigrants.

Mr. BRATTON. I gladly yield to the Senator from Pennsylvania.

Mr. REED of Pennsylvania. I ask that the resolution be laid before the Senate.

The resolution (S. Res. 318) was read and agreed to, as follows:

Senate Resolution 318

Resolved, That the President be requested, if not incompatible with the public interest, to transmit to the Senate a copy of the joint report of the Secretary of State, the Secretary of Commerce, and the Secretary of Labor to the President in pursuance of section 11(e) of the immigration act of 1924.

IMPORTATION OF MILK

The Senate resumed the consideration of the bill (H. R. 11768) to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health.

Mr. BRATTON. I am informed that several Senators have matters they want to bring to the attention of the Senate before 2 o'clock, and as it is obvious that we can not pass the pending bill at this time, I suggest to the Senator from Wisconsin that he let the bill go over until to-morrow.

Mr. LENROOT. It is so near 2 o'clock that I ask that the bill may go to the calendar, and retain its present position on the calendar.

The VICE PRESIDENT. The bill goes back to the calendar.

CONCESSIONS IN FOREIGN COUNTRIES

Mr. WHEELER submitted the following resolution (S. Res. 319), which was read and referred to the Committee on Foreign Relations:

Senate Resolution 319

Whereas American investments abroad, already amounting to many billions of dollars, are increasing rapidly, especially since the World War, and are alleged in a number of instances to be conditioned upon unjustifiable concessions from foreign governments which lack capital but desire to develop their resources; and

Whereas such concessions if unjust in their terms endanger legitimate investments abroad; and

Whereas controversies regarding the rights and duties of holders of such concessions constitute an increasingly important part of the foreign relations of this Government and produce tension which has frequently led to armed intervention and may lead to war: Therefore be it

Resolved, That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized to investigate the terms and conditions under which concessions have been procured in foreign countries by United States citizens and by corporations and other associations in which United States citizens are financially interested, and the nature and extent of such concessions, with particular reference to (1) the source and sanction of such concessions, (2) the record, precedents, and traditions of the Government of the United States in its foreign relations since its establishment, in so far as the rights and duties incident to such concessions constitute the subject matter of international official correspondence, and (3) the principal aspects of public policy involved in the treatment, as property rights for purposes of diplomatic protection, of such concessions.

For the purposes of this resolution such committee or subcommittee is authorized to hold hearings, to sit and act at such times and places; to employ such experts and clerical, stenographic, and other assistants; to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of such committee or subcommittee, shall not exceed \$30,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of such committee or subcommittee. Such committee or subcommittee shall make a final report to the Senate as to its findings at the beginning of the first regular session of the Seventieth Congress.

MUSCLE SHOALS PROJECT (S. DOC. NO. 189)

Mr. DENEEN. Mr. President, I ask unanimous consent to have printed as a Senate document a letter addressed to me by the Secretary of War, dated December 14, 1926, in response to my request regarding the proposed offer of the Farmers' Federated Fertilizer Corporation for the Muscle Shoals project, together with an analysis of the proposed offer and a detailed analysis by Lieut. Col. M. C. Tyler, Corps of Engineers, and Senate bill 4632, introduced December 7, 1926, by the Senator from Kentucky [Mr. ERNST] and referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Without objection, it is so ordered.

MATERNITY AND INFANT HYGIENE

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three hours and fifteen minutes spent in executive session, the doors were reopened.

ADJOURNMENT

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 16 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 7, 1927, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 6, 1927

COLLECTOR OF CUSTOMS

Frank M. Hume, of Houlton, Me., to be collector of customs for customs collection district No. 1, with headquarters at Portland, Me., in place of Carl E. Milliken, resigned.

APPOINTMENT IN THE REGULAR ARMY

MEDICAL DEPARTMENT

To be assistant to the Surgeon General, with the rank of brigadier general, for a period of four years from date of acceptance

Col. Frank Royer Keefer, Medical Corps, from February 11, 1927, vice Brig. Gen. Walter D. McCaw, Assistant Surgeon General, who is to be retired from active service February 10, 1927.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY

JUDGE ADVOCATE GENERAL'S DEPARTMENT

Capt. Charles Simonton Brice, Coast Artillery Corps (detailed in Judge Advocate General's Department), with rank from July 1, 1920.

FINANCE DEPARTMENT

Capt. Paul Samuel Beard, Infantry (detailed in Finance Department), with rank from July 1, 1920.

FIELD ARTILLERY

Col. Fred Erskine Buchan, Cavalry, with rank from September 27, 1924.

COAST ARTILLERY CORPS

Second Lieut. James Frederick Howell, jr., Infantry, effective April 2, 1927, with rank from June 12, 1924.

PROMOTIONS IN THE REGULAR ARMY

To be colonels

Lieut. Col. James George Hannah, Infantry, from December 25, 1926.

Lieut. Col. Samuel Breck McIntyre, Finance Department, from December 28, 1926.

To be lieutenant colonels

Maj. George Wilbur Cocheu, Coast Artillery Corps, from December 25, 1926.

Maj. Charles Herman Patterson, Coast Artillery Corps, from December 28, 1926.

To be majors

Capt. Carl Smith Doney, Coast Artillery Corps, from December 23, 1926.

Capt. William Hieatt Cureton, Field Artillery, from December 25, 1926.

Capt. Fay Brink Prickett, Field Artillery, from December 28, 1926.

To be captains

First Lieut. Frank Leslie Carr, Cavalry, from December 23, 1926.

First Lieut. Frank Edmund Bertholet, Cavalry, from December 25, 1926.

First Lieut. Marion Carson, Cavalry, from December 28, 1926.

First Lieut. Rossiter Hunt Garity, Cavalry, from December 31, 1926.

To be first lieutenants

Second Lieut. Andrew Julius Evans, Infantry, from December 23, 1926.

Second Lieut. Paul Corson Howe, Coast Artillery Corps, from December 23, 1926.

Second Lieut. Donald McKechnie Ashton, Infantry, from December 23, 1926.

Second Lieut. Edward Alfred Mueller, Infantry, from December 25, 1926.

Second Lieut. Robert William Calvert Wimsatt, Air Corps, from December 28, 1926.

MEDICAL CORPS

To be major

Capt. Fletcher Olin McFarland, Medical Corps, from December 19, 1926.

VETERINARY CORPS

To be colonel

Lieut. Col. Robert Vans Agnew, Veterinary Corps, from December 18, 1926.

PROMOTIONS IN THE PHILIPPINE SCOUTS

To be first lieutenants

Second Lieut. Amado Martelino, Philippine Scouts, from December 30, 1926.

Second Lieut. Victor Zalamea Gomez, Philippine Scouts, from December 31, 1926.

PROMOTIONS IN THE NAVY

MARINE CORPS

Second Lieut. James M. McHugh to be a first lieutenant in the Marine Corps from the 31st day of October, 1926.

Pay Clerk Arthur D. Sisk to be a chief pay clerk in the Marine Corps, to rank with but after second lieutenant, from the 10th day of June, 1926.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 6, 1927

DIPLOMATIC AND CONSULAR SERVICE

Selden Chapin to be secretary.

Charles H. Derry to be vice consul of career.

POSTMASTERS

ALASKA

Zeph T. Halferty, Kodiak.

CONNECTICUT

Alfred C. Ward, Middletown.

Weeden F. Sheldon, Moosup.

GEORGIA

Louise F. Hayes, Montezuma.

IDAHO

Louis W. Thrallkill, Boise.

KANSAS

David W. Naill, Herrington.

KENTUCKY

Lenard W. Thrasher, Burkesville.
 Andy M. Smith, McHenry.
 William E. Jones, Princeton.
 James L. Howard, Wallins Creek.

MAINE

Jessie E. Nottage, Solon.
 Harry M. Robinson, Warren.

NEBRASKA

Edward Ericksen, Boelus.
 George W. Harding, Ralston.

NEW HAMPSHIRE

Lena K. Smith, Lancaster.
 Cora H. Eaton, Littleton.

NEW YORK

Guy M. Lovell, Camillus.
 Wright B. Drumm, Chatham.
 Wilbur S. Oles, Delhi.
 John L. Mahalish, Hillburn.
 John R. Baldwin, Livingston Manor.
 Frederick A. Billipp, Mamaroneck.
 Samuel W. Berry, Maybrook.
 Franklin H. Sheldon, Middleport.
 Scott E. Gage, Morris.
 Harry Pottenburgh, Rhinebeck.
 William T. Binks, Rome.
 William Sanford, Zabona.
 George F. Hendricks, Sodus.
 Fred Hahn, Tonawanda.
 Lewis E. Elston, Unionville.
 Victor J. Banfield, Van Etten.
 Arthur F. Crandall, Wappingers Falls.
 Margaret D. Martin, Willard.

NORTH DAKOTA

Jacob A. Phillips, Cleveland.
 Harry M. Pippin, Halliday.
 David L. Rourke, Osnabrock.
 Desha V. Poland, Parshall.
 Grace Anderson, Selfridge.
 Minnie Alexander, Sherwood.

PENNSYLVANIA

John T. Ritter, Carnegie.
 Henry Bourns, Ellsworth.
 Lena E. Gould, McClellandtown.
 Louis O. Mellinger, Slickville.

TENNESSEE

Everett R. Doolittle, Madison.
 Conley Collins, Morristown.

TEXAS

Charles A. Ziegenhals, Bastrop.
 Minnie L. Landon, Burnet.
 Rebecca White, Carbon.
 Sidney O. Hyer, Frost.
 Oscar O. Ashenhurst, Lorena.
 Mary A. Haskell, Stockdale.
 Robert H. Rhodes, Waelder.

UTAH

Porter A. Clark, Parowan.
 Arza C. Page, Payson.
 George M. Jones, Richfield.
 Aroet L. Harris, Richmond.

HOUSE OF REPRESENTATIVES

THURSDAY, January 6, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, our heavenly Father, we come to Thee in the name of Him who is the divinest expression of our humanity and the perfect ideal for the races of men. Ever hold Thou His cross before our waiting eyes and consider us, O Lord! Make difficulties our opportunities and the lowliest duties our richest privileges. Give us all that charity that shows forbearance and that shields human weakness. Support us with Thy faultless wisdom. Permit us to walk in happiness; make sorrow a stranger to our firesides and may the sweet blessings of love radiate in all our homes. In Thy holy name. Amen.

LXVIII—74

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed out of order for 10 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed out of order for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to make a point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 6]

Aldrich	Dickstein	Lee, Ga.	Periman
Anthony	Drane	Lehbach	Phillips
Arentz	Free	Letts	Reece
Auf der Heide	Freeman	Lineberger	Reed, N. Y.
Barkley	Fulmer	Lanthicum	Sears, Fla.
Bell	Funk	Luce	Seger
Boylan	Gallivan	Lyon	Smithwick
Brand, Ohio	Gibson	McLaughlin, Mich.	Stephens
Britten	Golder	McLeod	Strong, Pa.
Burdick	Goldsborough	McSwain	Sullivan
Canfield	Gorman	McSweeney	Taylor, N. J.
Carew	Graham	Madden	Taylor, W. Va.
Carter, Calif.	Houston	Manlove	Tillman
Celler	Howard	Mansfield	Tincher
Christopherson	Hull, Tenn.	Milligan	Tolley
Cleary	Jenkins	Montgomery	Tydings
Connally, Tex.	Johnson, Ky.	Moore, Ohio	Warren
Curry	Kless	Morgan	Williams, Ill.
Davenport	Kincheloe	Nelson, Wis.	Woodyard
Deal	Kindred	O'Connor, La.	
Dickinson, Iowa	Kunz	O'Connor, N. Y.	

The SPEAKER. Three hundred and forty-nine Members are present.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

EXECUTIVE OFFICE, ETC., APPROPRIATION BILL

Mr. WOOD. Mr. Speaker—

The SPEAKER. Does the gentleman from New York yield to the gentleman from Indiana?

Mr. FISH. I do.

Mr. WOOD. Mr. Speaker, I desire to present a privileged report from the Committee on Appropriations, the Executive office appropriation bill.

Mr. SANDLIN. Mr. Speaker, I desire to reserve all points of order.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15959) making appropriations for the Executive office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes.

The SPEAKER. Referred to the Committee on the state of the Union and ordered printed.

ST. LAWRENCE WATERWAY

Mr. BEGG. Mr. Speaker—

The SPEAKER. Does the gentleman from New York yield to the gentleman from Ohio?

Mr. FISH. I do.

Mr. BEGG. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a report of the Secretary of Commerce made to the President on the surveys from the Great Lakes to the sea.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks by printing a report of the Secretary of Commerce in reference to surveys from the Great Lakes to the sea. Is there objection? [After a pause.] The Chair hears none.

Mr. BEGG. Mr. Speaker, under leave to extend my remarks, I submit the following:

DECEMBER 27, 1926.

The PRESIDENT,

The White House, Washington, D. C.

DEAR MR. PRESIDENT: This commission appointed by you on March 14, 1924, to advise upon development of shipway from the Great Lakes to the sea has directed me to transmit to you their conclusions.

The necessity and feasibility of this undertaking has been the subject of much previous study and report. Under arrangements in 1919 between the United States and Canada the International Joint Commission made an investigation of river improvement between Montreal and Lake Ontario, setting out its conclusions and recommendations in a

report under date of January 6, 1922. That commission strongly indorsed the plan for the improvement of the St. Lawrence River and recommended that before the project should be actually undertaken the engineering features should receive "that further and complete study that its magnitude and importance demand."

In accordance with this recommendation and upon the appointment of the present commission, and also a like body by Canada known as the National Advisory Committee of Canada, it was agreed between the two Governments that a joint board of six engineers should be created to further exhaustively examine the subject. This joint engineering board has now completed an exhaustive investigation of all the engineering features involved in the lake and river development. Its report is herewith submitted.

By the river and harbor act approved March 3, 1925, the Board of Engineers of the United States Army was directed to make an examination and survey as to the feasibility and cost of a waterway from the Great Lakes to the Hudson River, and a further inquiry was requested by the resolution of the Committee on Rivers and Harbors of the House, dated May 26, 1926. This work was completed and reports made to Congress December 6, 1926.

In order that the commission might have complete data as to the economic aspects of the problem, the Department of Commerce, at the request of this commission, undertook a full examination of the features and questions involved, and their report will be transmitted to you within a few days.

These investigations and reports combine to present a most exhaustive development of all of the important facts as to the subject.

This commission has also had the advantage of a large amount of other data and the personal study of its own members. Its conclusions are as follows:

1. The construction of a shipway of sufficient depth to admit ocean shipping from the Atlantic to the Great Lakes will lessen the economic handicaps of adverse transportation costs to a vast area in the interior of the continent. Within the United States it embraces all or large portions of the States of Ohio, Indiana, Kentucky, Illinois, Iowa, Missouri, Kansas, Nebraska, North and South Dakota, Montana, Wisconsin, Minnesota, Michigan, Pennsylvania, and New York. It includes a large part of Canada. Within this area there are more than 40,000,000 inhabitants who gain their livelihood from its basic industries. It produces a vast surplus both from agriculture and manufacturers, much of which demands long transportation. There is a reciprocal inflow of commodities from its neighbors.

These sections have always been under natural transportation disadvantages in the exportation and importation of commodities. But the building of the Panama Canal artificially created a still further dislocation of its competitive relations, and beyond this the necessary increase in railway rates following the war have shifted greatly the economic position of the mid-continent to the great detriment of that area.

The problem has thus become one of wide importance, not only because of the fundamental advantages of elimination of great wastes in transportation costs, but also because of the necessity for readjustment of adverse competitive relations of all the industries and agriculture throughout the mid-continent.

This becomes apparent if we cease to think of distance merely as a matter of miles and consider it in terms of cost. If we take as a unit of measurement the cost in cents of carrying a ton of staple goods at present rate, taking the cheapest route in each case, we find that before the war New York was 1,904 cents away from San Francisco, while now it is only 1,680 cents away. Chicago, which was 2,610 cents away from the Pacific coast before the war, is to-day 2,946 cents away. In other words, Chicago has moved 336 cents away from the Pacific coast, while New York has moved 224 cents closer. A similar calculation will show that in the same period, since ocean rates have remained about the same, Chicago has moved 594 cents away from the markets of the Atlantic seaboard and South America. The same ratios apply to the other Mid-West points. The increased transportation costs to world markets from the mid-continent have had serious results to agriculture. The rate increases affecting this section of from 6 to 18 cents per bushel upon grain have not been accompanied by similar increases in many agricultural countries which compete with it, since they possess greater accessibility to the seaboard, and sea rates are about the same as before the war. Thus, this increase in American rates has been in large degree a deduction from the receipts of farmers in the mid-continent. With the completion of such a shipway as the St. Lawrence, the freight rates on grain to world markets would be substantially reduced, and as a consequence the price levels of all grain in the Lakes transportation area would be increased accordingly. Much the same type of economic reaction would affect other commodities and industries. It has been estimated that the values in a single year to the farmers alone would equal the capital cost of the waterway. Thus the economic importance of the improvement would be far greater than the savings made upon the actual tonnage transported, important though that would be.

The interior States which are affected by this situation have not been neglectful of the benefits to be derived by the bringing to them of ship transportation to the sea.

Eighteen of them have associated together by acts of their legislatures, under the name of the Great Lakes-St. Lawrence Tidewater Association. They represent nearly two-fifths of our population. They have made their own independent investigation and have concluded and declared that the opening of the Great Lakes to ocean-going vessels through the St. Lawrence is a major public necessity in the economic interest of their communities.

There can be no disagreement in the opinion that this section of the United States is entitled to an equalization in transportation advantages as far as possible, nor as to the benefits which would inevitably flow to it if ship access to the ocean is afforded.

2. Three different routes for such a shipway have been put forward.

(a) By reconstruction of the present canal from Lake Ontario to the Hudson, making use of the new Welland Canal now being constructed by the Canadian Government to connect Lake Ontario and Lake Erie. The United States has treaty protection of equal treatment in the use of the Welland.

(b) By developing an "all-American" route, which would include the Lake Ontario-Hudson project, plus a new ship canal on the south side of Niagara, which would duplicate the new Welland Canal.

(c) By utilizing the St. Lawrence River as a joint undertaking with Canada.

3. Both the initial and ultimate depth of the shipway involves many technical and financial questions. A depth of 30 feet in the permanent structures will provide for almost any contingency for many years to come and for purposes of comparison in costs a depth of canals which will permit of ships of 25 feet of draft has been adopted. Such a depth will admit 88 per cent of all ships now entering American ports. After making full allowance for the seasonal variations in the volume of traffic to be handled, the capacity of a waterway of this depth, with a chain of single locks, is estimated at 30,000,000 tons per annum. The capacity can be increased to any reasonable amount that may be desired by the construction of additional locks paralleling those first installed.

4. It is estimated by the Department of Commerce that the following tonnages are at present available for transportation of which, say 80 per cent, represents export and imports as distinguished from internal traffic.

	Ontario-New York route	St. Lawrence route
Minimum estimate.....	Tons 15,000,000	Tons 21,000,000
Maximum estimate.....	20,000,000	25,000,000
Median.....	17,500,000	23,000,000

5. The reports of the United States engineers of December 6, 1926, estimate the cost of constructing the Lake Ontario-Hudson route at \$506,000,000; the all-American route at \$631,000,000 (both estimates without interest during construction). No consequential relief by water power can be developed upon these routes. The net cost to the joint Governments of the improvement of the St. Lawrence route upon procedure indicated below would be upon the joint engineers' estimates of between \$123,000,000 and \$148,000,000, from which some further reductions should be made from further realization upon hydroelectric power.

6. The development of the St. Lawrence waterway is necessarily also a development of the huge hydroelectric power from the great rapids which now obstruct navigation on the river. The complete practicable power development of the river will provide a total of about 5,000,000 installed horsepower, of which about 2,250,000 lies in the upper rapids along the international section between New York State and the Province of Ontario, the remainder lying in the lower rapids and wholly within the Dominion of Canada. This is not only the largest possible hydroelectric power development upon the continent but the reports of the engineers indicate that the capital outlay per horsepower is less than most of the hydroelectric installations now in progress in the United States. The inevitable development of the river for power would in itself compass the major construction for the shipway, since the dams necessary for development of power create a series of pools in place of the present rapids which, with the supplement of locks and short canals, become the shipway.

The development of these vast power resources are inevitable in the interest of the populations in that region. Their development will eventually create a shipway on this route even if other routes were undertaken.

7. There is estimated to be a requirement in the Province of Ontario and in New York and New England States (by the time of completion) for all the power which can be developed in the international section. Various private or public bodies are now seeking the privilege of this development, and we may assume for purposes of estimation that

its construction can be undertaken outside of the Federal and Dominion Governments. The cost of providing the locks and canals around this power development in the international section (assuming proper enlargement of channel for winter operation of power) is estimated at from \$22,400,000 to \$34,000,000, depending upon details of the plans as to whether two dams or one are constructed. The improvement of the river from Lake Ontario down to these power dams and below this point as far as the lower rapids is estimated at less than \$3,000,000. Thus the development of the power in the international section, with the above comparatively minor expenditure, would carry the shipway a total of 141 miles out of the total of 183 miles from Lake Ontario to Montreal, or taking it to within 42 miles of tidewater.

8. This last 42-mile stretch embraces the two lower sets of rapids and the full power from these sources apparently will not be in economic demand at so early a date, and therefore the construction of the shipway could either be undertaken around these rapids independently of power development, or by adopting plans which would give some 400,000 immediate horsepower and will provide important preparation for further installment of 2,350,000 horsepower later on. The first alternative should cost about \$97,500,000 and the second about \$161,000,000. From the latter there must be deducted the income value from 400,000 horsepower which would be equivalent to a capital value of at least \$50,000,000 and beyond this the completion of the power development would further realize values which should further reimburse expenditure upon this section. The second alternative should provide rather better navigation and is recommended by the Joint Board of Engineers.

9. Thus the total investment in the St. Lawrence by the joint governments on the above basis of procedure would be from \$123,000,000 to \$198,000,000, depending upon details of the plan. The latter sum, previously pointed out, would be reduced to an effective net of \$148,000,000 from immediate power income and still further reduced by the returns from future power development. There are other alternative methods of handling the problem but this will serve to illustrate the costs. If other agencies than the Federal and Dominion Governments were not able to undertake the construction of power dams in the international section, and if it were necessary to consider their installation as part of the financial project, the returns from the power developed should reimburse its cost and perhaps something in addition. The whole St. Lawrence undertaking is, of course, a joint one between the United States and Canada. There is as yet no understanding between the two countries as to the proportion in which this cost would have to be shared, but obviously the share of either Government would be less than the totals shown above, which would also be subject to reduction through further power realization.

10. It is estimated that maintenance plus interest at 4½ per cent on the all-American route would be \$36,000,000 per annum, upon the Ontario-Hudson route \$28,770,000, upon this plan of development of the St. Lawrence route, say \$10,000,000, after deduction of power returns from power actually developed as above. These charges applied to the estimated annual medial tonnages are as follows:

	Per ton
All-American	\$2.06
Lake Ontario-Hudson	1.64
St. Lawrence	.43

11. There are other important considerations in comparison of routes. The amount of restricted and, therefore, retarded navigation through actual canals would be 137 miles on the all-American route, 128 miles on the Ontario-Hudson route, 21 to 25 miles on the St. Lawrence. The operating season free from ice is practically the same. The St. Lawrence route requires 9 locks compared with 20 on the Ontario-Hudson, and the St. Lawrence route will be obstructed with 8 bridges compared with 54 on the Ontario-Hudson. The actual distance by the St. Lawrence from Lake ports to northern European points would be less by 625 miles as compared with the Ontario-New York route. The actual distance from Lake ports to New York would be greater by 1,550 miles, and to South Atlantic points from 540 to 1,350 miles by the St. Lawrence, but these items are more than compensated for by better navigation and lesser fixed charges.

12. It is estimated that the construction of the waterway upon the St. Lawrence will require 8 years, but 10 years may be assumed as a minimum period even if all international questions, legislation, administrative, and financial problems were rapidly overcome.

13. While the commission deprecates the injection of the idea that military advantages by either route are to be seriously considered in connection with any relationships with our most friendly neighbor, the Chief of Engineers has discussed this feature as follows:

"The military advantages of the proposed waterway across the State of New York are not sufficient greatly to affect the consideration of a matter involving hundreds of millions of dollars. It will be noted that many points of both routes are so close to the border as to make them subject to possible destruction in case of war."

14. On the American side the State of New York has a special interest in the power developments of the international section, and the

coordination of these improvements with the State should be undertaken. Owing to the navigational and international character of the river the Federal Government has an interest and must necessarily assent to and negotiate power development questions from the American side.

15. There has been some feeling that the construction of the St. Lawrence waterway will injure the interests of our Eastern States by decreasing terminal business of Lake and seaboard cities; will divert traffic from American railways and endanger our commercial and financial control of American exports and imports over this route.

Of first importance is the fact that the total estimated tonnage available to-day for the waterway amounts to under 4 per cent of the present tonnage carried by the American railway systems which now connect the Lakes with seaboard. It comprises less than 12 per cent of the sea shipments now moving through the affected American seaports. The natural increase in population and traffic would quickly recover such amounts, theoretically before the earliest possible completion of the waterway. Our facilities are already much taxed and another route does not mean a duplication of capital outlays. It is certain that American cities, of which New York is the center point, would remain the financial and commercial centers of America's foreign trade regardless of the route of traffic. It may be observed that the completion of the Welland Canal now in construction will divert some tonnage from present routes and terminals to lower Lake Ontario and that the development of the power on the borders of New York State will still further divert tonnage by opening this route 141 miles farther to within 42 miles of tidewater at Montreal.

In the wider view the increased prosperity of the mid-continent, the relief of many of their present economic difficulties and development of huge water power for stimulation of industry and commerce in New York and New England shall add to the prosperity of the country as a whole and thereby benefit every citizen and every city.

The conclusions of this commission are therefore:

First. The construction of the shipway from the Great Lakes to the sea is imperative both for the relief and for the future development of a vast area in the interior of the continent.

Second. The shipway should be constructed on the St. Lawrence route, provided suitable agreement can be made for its joint undertaking with the Dominion of Canada.

Third. That the development of the power resources of the St. Lawrence should be undertaken by appropriate agencies.

Fourth. That negotiations should be entered into with Canada in an endeavor to arrive at agreement upon all these subjects. In such negotiations the United States should recognize the proper relations of New York to the power development in the international section.

Yours faithfully,

HERBERT HOOVER, *Chairman*.

PENSIONS

Mr. SWOOPE. I wish to present a privileged report from the Committee on Invalid Pensions.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13451) to increase the pensions of certain maimed veterans who have lost limbs or who have been totally disabled in the line of duty in the military or naval service of the United States, and to amend section 4788 of the Revised Statutes of the United States by increasing the rate therein for artificial limbs.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union.

Mr. GARRETT of Tennessee. Mr. Speaker, I reserve all points of order.

SUNDY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President were communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Cravens, one of its clerks, announced that the Senate had passed the act (S. 4712) granting the consent of Congress to Meridian & Bigbee River Railway Co. to construct, maintain, and operate a railroad bridge across the Tombigbee River at or near Nabeola, Ala.

The message also announced that the Senate agrees to the amendments of the House of Representatives to the joint resolution (S. J. Res. 113) authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate No. 37 to the bill (H. R. 14827) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes."

THEODORE ROOSEVELT

Mr. FISH. Mr. Speaker, to-day is the eighth anniversary of the death of former President Roosevelt. It seems to me to be appropriate on such an anniversary that the Congress of the United States should pause in its deliberations and pay tribute and do honor to the memory of one of the greatest Americans of our day and generation. I am hopeful that as long as there are Members of Congress who had the good fortune of knowing Theodore Roosevelt personally that there will be those who will raise their voices in eulogy of this great President who loved justice, preached righteousness, and believed in a square deal for all. He was the incarnation of the highest aspirations and ideals of the American people; he believed in the sovereignty of the people and had faith in their wisdom and patriotism such as no other President since Abraham Lincoln and Thomas Jefferson.

On January 6, 1919, a few short months after the signing of the armistice, Theodore Roosevelt—scholar, statesman, and gallant soldier, both in peace and in war—died peacefully in his home at Oyster Bay after a strenuous public career of 40 years devoted to the welfare of the country he loved. No soldier who paid the supreme sacrifice for his country is more entitled to the encomiums of a grateful Republic than Theodore Roosevelt, who waged incessant war on the front lines of civic righteousness and gave battle without fear and without reproach for the interests of the American people whom he served so well. Worn out by his political labors and broken in bodily strength, but sound in mind and undaunted in spirit, he was called to the great beyond full of honors and leaving as a legacy to the American people the memory of a life that will be a source of inspiration to generations yet unborn. No man in public life in the United States was ever subjected to such gross abuse and vilifications, but no critic ever had the hardihood to impugn his honesty or to doubt his patriotism. His private life and public career can best be summed up by the words "For God and country."

I was in Sedan, in the northeastern part of France, on a tour of inspection with the Army Staff College when the news of his death reached us. It came as a great shock, as we had known nothing of his illness. It was hard to believe that that mighty voice, to which the whole world listened and which contributed so much to the final victory in the war, was forever stilled. We all felt as if one of the pillars of the Republic had been overthrown before its time and that America had been stricken in the midst of its great victory.

Theodore Roosevelt has been dead for the last eight years, yet his policies live on in the hearts of his countrymen. It might be interesting to speak briefly of some of the outstanding policies urged by this remarkable leader of American thought, and emphasize his views toward present-day issues.

NAVAL PREPAREDNESS

Theodore Roosevelt might with truth be called the father of our modern Navy. From his earliest manhood, including the time he was Assistant Secretary of the Navy back in 1897 to the day of his death, he preached the doctrine of naval preparedness. His first literary work, the *Naval War of 1812*, was written soon after he graduated from Harvard, and contains these passages:

Had America possessed (in 1812) a fleet of 20 ships of the line her sailors could have plied their trade unmolested, and the three years of war, with its loss in blood and money, would have been avoided. From the merely monetary standpoint such a navy would have been the cheapest kind of insurance, and morally its advantages would have been incalculable, for every American worth the name would have lifted his head higher because of its existence.

There never was a better example of the ultimate evil caused by a timid effort to secure peace and the refusal to make preparations for war than that afforded by the American people under the Presidencies of Jefferson and Madison.

[Address at Williams College, Williamstown, Mass., June 22, 1905]

A GREAT NATION SHOULD NOT BLUFF

I demand that the Nation do its duty and accept the responsibility that must go with greatness.

I ask that the Nation dare to be great, and that in daring to be great it show that it knows how to do justice to the weak no less than to exact justice from the strong.

In order to take such a position of being a great Nation, the one thing that we must not do is to bluff.

The unpardonable thing is to say that we will act as a big Nation and then decline to take the necessary steps to make the words good. Keep on building and maintaining at the highest point of efficiency the United States Navy or quit trying to be a big Nation. Do one or the other.

[Second annual message to Congress, December 2, 1902]

There should be no halt in the work of building up the Navy, providing every year additional fighting craft.

A good Navy is not a provocation to war. It is the surest guaranty of peace.

[Third annual message to Congress, December 7, 1903]

TO STAND STILL MEANS TO GO BACK

I heartily congratulate the Congress upon the steady progress in building up the American Navy. We can not afford a let-up in this great work. To stand still means to go back.

[Speech in Brooklyn, May 30, 1905]

AN INEFFICIENT WARSHIP A MENACE TO THE NATIONAL HONOR

If our Navy is good enough we have a long career of peace before us. The only likelihood of trouble ever coming to us as a nation will arise if we let our Navy become too small or inefficient.

Every warship which is not first class in efficiency becomes in battle not a help to the Nation but a menace to the national honor.

Remember, gentlemen, that the prime use of the United States Navy is to avert war. The United States Navy is the cheapest insurance Uncle Sam has. It is the surest guaranty against our ever being drawn into war; and the guaranty is effective in proportion as the Navy is efficient.

[Speech at Chicago, April 2, 1903]

BLUSTER WITHOUT FORCE WORSE THAN ABANDONMENT

I believe in the Monroe doctrine with all my heart and soul. I am convinced that the immense majority of our fellow countrymen so believe in it, but I would infinitely prefer to see us abandon it than to see us put it forward and bluster about it, and yet fail to build up the efficient fighting strength which in the last resort can alone make it respected by any strong foreign power whose interest it may ever happen to be to violate it.

SPEAK SOFTLY AND CARRY A BIG STICK

There is a homely old adage which runs: "Speak softly and carry a big stick; you will go far." If the American Nation will speak softly, and yet build, and keep at a pitch of the highest training a thoroughly efficient Navy, the Monroe doctrine will go far.

HONESTY IN POLITICS

Every citizen knows of the record of Theodore Roosevelt throughout his long political career against graft and corruption in all forms. With indomitable courage he attacked wherever its hideous head was raised. No American need ask where Theodore Roosevelt would have stood on any issue in which bribery and fraud was involved. All that is necessary is to turn to his denunciations of former Senator Lorimer to ascertain his attitude. Theodore Roosevelt, if he had been alive, would certainly have aroused public opinion in behalf of civic righteousness against the wholesale corruption in the recent primary elections, regardless of whose head was hurt.

PROHIBITION

It is interesting to note what this great American thought about prohibition in view of that much-debated issue to-day. When he was charged with drinking intoxicating liquor by some county newspaper he went to court and received a complete vindication. He cared little for intoxicating liquor; when he did drink he generally took light wine mixed with seltzer. Although he never was a prohibitionist, he believed in the eighteenth amendment. The following extract from Theodore Roosevelt and His Time by Bishop, Volume II, page 453, has never, to my knowledge, been denied:

On the following day (July 18, 1918) Horace Wilkinson visited him at Oyster Bay as a messenger from the party leaders who wished him to be a candidate for governor. When Mr. Wilkinson told him that all his former political enemies in the State wished him to run and had signed an appeal to him to consent to do so he expressed incredulity, asking if his chief enemy, William Barnes, was among them. When told that Mr. Barnes was, he was scarcely able to believe it. He went on to give what he thought would be a conclusive reason why Mr. Barnes and his associates would not favor him, saying that some of them were opposed to the prohibition amendment to the Constitution

and that if he were the candidate he would certainly be asked by prohibition advocates where he stood on the question, and if asked he would say that he was in favor of it. He requested Mr. Wilkinson to report this to them. Mr. Wilkinson did this, and when Mr. Barnes heard the message he said, with much force, "I don't care a damn whether he is for prohibition or against prohibition. The people will vote for him because he is Theodore Roosevelt!"

RULE OF THE PEOPLE

Theodore Roosevelt advocated the direct primaries back in 1909 when Charles E. Hughes was Governor of New York because he believed in the common sense, intelligence, good judgment, and right-mindedness of the American people. He saw clearly that the special interests were ever at work endeavoring to pervert the Government to their own selfish ends through the convention system of nominating candidates. The advocates of the repeal of the direct primary, such as Vice President Dawes, would not have made much headway in the lifetime of Theodore Roosevelt. He was too familiar with the evils of the manipulated party convention in the hands of a few men who were generally closely associated with some special interests.

SOCIAL AND INDUSTRIAL JUSTICE

No President has ever taken a firmer stand for human rights as opposed to property rights than Roosevelt. He was a veritable David, who dared to battle with the Goliath of special privilege and plutocracy in behalf of human rights. He cared not whether he attacked some big interest, arrogant and swollen with its own importance, which had violated the law, or whether it was such a powerful organization as the American Federation of Labor.

I remember attending a meeting in Carnegie Hall in the early part of 1917 given in honor of the arrival of the Russian commission representing the Kerensky government, at which Roosevelt and Gompers spoke from the same platform. Roosevelt began his speech by saying that before we could expect to help to do justice in Russia we should see that justice is maintained in our own country, and then vigorously denounced the barbarous murders of the colored men and women in the East St. Louis strike. Later on Gompers read a telegram from a labor leader in Illinois condoning these atrocious murders and blaming them on what he termed the exploiters of labor. As soon as Samuel Gompers sat down Theodore Roosevelt jumped up and rushed over at him, waving his hand in his face, said:

I refuse to sit on a platform and hear murder condoned, whether of black or white. I don't care a continental for any excuse or what any labor leader from Illinois has to say about it, murder is murder and can not be condoned.

Immediately there was a pandemonium, the galleries filled with communists yelling and hissing and those in the orchestra applauding. For a moment it looked as if Gompers and Roosevelt would come to blows, and a riot was only averted by a cordon of police, who escorted the former President out a back entrance. It was the most exciting meeting I ever attended, and demonstrated better than anything else could Roosevelt's magnificent courage and innate love of justice. He was at that time the accepted leader of the Republican Party and the logical candidate for the Presidency in 1920; yet, impelled by his great sense of justice, he did not hesitate to denounce the head of the American Federation of Labor. What other political leader would have dared to do likewise? Men in public life could well afford to remember this splendid example of fearlessness in the cause of human justice and act accordingly; but how few of us would.

Preparedness, honesty in politics, the rule of the people, and social and industrial justice are only some of the causes he advocated in his long public career. He was a powerful champion for the conservation of our natural resources, a square deal for labor and capital alike, the construction and control of the Panama Canal, and settlement by arbitration of the coal strikes. He was a great believer in outdoor life. Only recently I introduced a bill providing for the erection of a stadium in Potomac Park here in Washington to hold 100,000 people as a memorial to Theodore Roosevelt and as a fitting tribute to those qualities of sportsmanship, love of fair play, and physical exercise which were predominant in his life.

Theodore Roosevelt was the greatest exponent of the ideals of the plain American citizen since Lincoln and fought fearlessly all forms of special privilege and corruption. The outstanding characteristics of his long and active political career can best be described in a few words: Courage, justice, humanity, and patriotism. [Applause.]

BRIDGE ACROSS THE COLUMBIA RIVER—REFERENCE

Mr. SINNOTT rose.

The SPEAKER. For what purpose does the gentleman from Oregon rise?

Mr. SINNOTT. For the purpose of making a point of order. The SPEAKER. The gentleman will state it.

Mr. SINNOTT. I make the point of order that the Senate bill 3804, now on the Speaker's table, where it has been for some time, should be referred to the appropriate committee. I make the further point of order that the bill H. R. 11608 is improperly on the House Calendar. Inasmuch as these two bills, as I shall assume for the purpose of this argument and solely for that purpose, are substantially the same, I shall treat them as one bill. The Senate bill 3804—

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. What is this about?

The SPEAKER. The gentleman from Oregon makes a point of order against two bills, one Senate bill 3804, and the other House bill 11608.

Mr. RANKIN. What are they?

The SPEAKER. They relate to the building of a bridge.

Mr. GARRETT of Tennessee. Mr. Speaker, I desire to ask the gentleman, if he will permit, just what his point of order is. As I understand, he is making the point of order that the bill is improperly upon the House Calendar and should be upon the Union Calendar. Is that correct?

Mr. SINNOTT. That is correct.

Mr. GARRETT of Tennessee. On the ground that it carries a charge upon the Treasury? Is that the contention?

Mr. SINNOTT. I would like to develop my point. I shall first call the attention of the Speaker to the Senate bill, why it should be referred.

Mr. GARRETT of Tennessee. I want to get just what the point of order is. We are entitled to have that specifically stated.

Mr. SINNOTT. I am endeavoring to state it now. Let me quote from Hinds' Precedents, volume 4, section 3099:

This bill having come over from the Senate, the question arising is, therefore, whether it shall be retained on the Speaker's table as being substantially the same as one already reported to the House. In order that it may be so kept upon the table, the Chair must be notified that a committee has passed upon the subject and made a report to the House and asks that the bill be retained on the table for action.

Now, Mr. Speaker, I am not particularly stressing that point, because I realize that there are decisions holding that a certain discretion lies with the Speaker to permit a bill to remain upon the table; but my contention is that the Senate bill is not such a bill that may be considered at the request of the committee. My contention is that the Senate bill is a bill the consideration of which must be had in the Committee of the Whole. The same contention I make regarding the House bill.

Now, Mr. Speaker, we have three calendars of the House. We have a calendar of the Committee of the Whole House on the state of the Union, to which shall be referred bills raising revenue, appropriation bills, and bills of a public character, directly or indirectly appropriating money or property. A footnote under section 729 of the House Rules states:

In determining whether a bill shall be placed on the House or Union Calendar, clause 3 of Rule XXIII should be consulted. That is section 843.

It is my contention, Mr. Speaker, that these bills both appropriate property of the United States, and that they set in motion a train of circumstances that will ultimately involve the expenditure of money. My first contention is that these bills appropriate property of the United States; second, that they set in motion a train of circumstances that will ultimately involve the expenditure of money.

First as to property. These bills are bridge bills. They contemplate an easement or a right of way over property of the United States, to wit, the waters of the Columbia River and the bed of the Columbia River. I desire to cite the point that the bed and waters of the Columbia River are the property of the United States in so far as navigation is concerned. In a very able address made by the chairman of the subcommittee, the gentleman from Illinois [Mr. DENISON], last April, he states, on page 3 of that speech, that in the case of *Coleman v. Philadelphia* (3 Wall. 713) the Supreme Court said that the navigable waters of the United States are the public property of the United States and subject to all the regulations by Congress. This same case was cited

with approval in the Chandler-Dunbar case (229 U. S., p. 63), in which the court states:

Commerce includes navigation. The power to regulate commerce comprehends the control for that purpose and to the extent necessary all the navigable waters of the United States which are accessible from the States other than those in which they lie.

To this point I wish to call the attention of the Speaker:

For this purpose they are the property of the United States and subject to all the requisite legislation by Congress.

If they are the public property of the Nation for any purpose, then under rule 729 this bill contemplates the appropriation of both the water and the bed of that stream. This bill contemplates a bridge some 3,400 feet long, with eight piers, set in the navigable portion of the Columbia River. For that reason, Mr. Speaker, I contend that this bill should be on the Union Calendar.

I desire to cite to the Speaker section 843 of the Manual, wherein it has been repeatedly held that the granting of an easement or a right of way places a bill upon the Union Calendar. Speaker Clark decided that even the granting of a site for a monument in the city of Washington takes the bill to the Union Calendar. On the proposition that this bill will ultimately lead to an expenditure of money I desire to cite section 843 of the Manual:

But where a bill sets in motion a train of circumstances destined ultimately to involve certain expenditures, it must be considered in Committee of the Whole.

That was a decision by Speaker Cannon.

Mr. GARRETT of Tennessee. Will the gentleman please give the paragraph?

Mr. SINNOTT. Eight hundred and forty-four.

Mr. GARRETT of Tennessee. What is the paragraph? The pages are different.

Mr. SINNOTT. It is paragraph 844, on page 382, of the Manual.

Now, Mr. Speaker, on June 30, 1914, Speaker Clark cited that decision with approval. On June 30, 1914, page 11405 of the CONGRESSIONAL RECORD, the Speaker said:

Under this rule it has been held that a bill which sets in motion a train of circumstances destined ultimately to involve certain expenditures must be considered in the Committee of the Whole.

How does this bill set in motion a train of circumstances destined to involve an expenditure of money? First, in section 1 of the bill it is contemplated that there shall be held, on request, a public hearing by the three Secretaries to determine many of the questions relating to this bridge. In section 7 it is provided that after the bridge is constructed the builders of the bridge shall file with the Secretary of War an itemized statement of the cost of the bridge, the cost of acquiring real property, and the finance and promotion cost. Section 7 further provides that within three years after the completion of such bridge the Secretary of War shall investigate the actual cost of such bridge and that the findings of the Secretary of War as to such actual cost shall be conclusive. It is our contention, Mr. Speaker, that under both of those sections a train of circumstances is set in motion which will necessitate an expenditure of money.

Mr. Speaker, this bill is far different from the ordinary bridge bill. The bridge act of March 23, 1906, provides that the plans and specifications for the construction of a bridge, together with the drawings of the proposed construction, and such maps as may be required for a full understanding of the subject, shall be submitted to the Secretary of War and the Chief of Engineers and that he shall approve such plans, specifications, and the location of the bridge as well as the accessory works. That is a very simple requirement. It does not place a very big burden upon the Secretary of War, but the first section of this bill provides that—

The construction of such bridge shall not be commenced nor shall any alterations of such bridge be made, either before or after its completion, until the plans and specifications for such construction or alterations have been first submitted to and approved by the Secretary of War, the Secretary of Commerce, and the Secretary of Agriculture, acting jointly, and they acting jointly shall determine whether the types, designs, and specifications thereof are adequate, based upon the proposed use, volume, and weight of traffic passing over such bridge, and whether the height and clearances of such bridge are adequate to protect the commerce on said Columbia River, and whether the location selected is feasible for the erection of such bridge without obstruc-

tions in navigation and without being detrimental to the development of interstate and foreign as well as domestic commerce moving to and from the Pacific Ocean on the Columbia River to the inland waters of the States concerned, and whether public convenience will be served by such bridge as a connecting link between the Federal-aid highway systems of the States of Oregon and Washington. The said Secretaries, acting jointly, are empowered, and if requested to do so, are directed, to hold public hearings for the full and complete determination of said precedent requirements.

Now, Mr. Speaker, when the House bill was being considered in the House Committee, General Taylor, Chief of Engineers, was requested to come before the committee and state to the committee the usual procedure in investigating these bridge matters, and I desire to read a few extracts from his testimony to show that these two bills involve more complicated matters and proceedings than the ordinary bridge bill and will entail great expense upon the Government. On page 80 General Taylor said:

If we could approve the plans of the bridge without giving any consideration to the land traffic, it would be a very simple problem, because we can provide a suitable bridge or a bridge which will be suitable in the interest of navigation and quite simple, but when we take into consideration the land traffic it becomes a very complicated question.

Under the bridge act they are not required to take into consideration the land traffic, but under section 1 of this bill the three Secretaries are compelled to investigate this subject, which General Taylor states is a very complicated one.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. CHINDBLOM. Does the gentleman contend that it is competent for the Speaker to consider evidence of the character which the gentleman is now reciting in determining this question?

Mr. SINNOTT. I certainly do as to whether or not this bill will entail an expenditure upon the Government.

Mr. CHINDBLOM. Mr. Speaker, in explanation of my interruption, I will say that, of course, the Speaker knows it has been held repeatedly that this question must be determined upon the face of the bill and not upon evidence before a committee.

Mr. SINNOTT. But I am contending that the face of the bill shows these expenditures must be made.

General Taylor, on page 86, stated:

As I said, in many of those cases where the bridges are across important navigable waters, the hearings are quite protracted.

Then, on page 82, on the same subject, General Taylor was asked:

Now, under the existing law you merely pass on the plans and specifications from the standpoint of navigation?

General TAYLOR. Yes, sir.

Then, on page 74, this question was asked by the gentleman from Illinois [Mr. DENISON]:

Well, the district engineer, then, who holds the hearing, the local engineer who holds the hearing, digests the evidence and transmits the original evidence, typewritten transcript, and the exhibits, and his recommendations through the proper channels to your office?

General TAYLOR. Yes, sir.

Then, on page 73, General Taylor states:

The record of the hearing is made stenographically. The district engineer analyzes the hearing, makes a summary of what is presented, and sends that all on. All the papers, including the complete report of the hearing with his recommendation—all that comes to the office of the division engineer.

Then, on page 72, the gentleman from Illinois [Mr. DENISON] asked:

Now, the hearing is conducted by the local or the district engineer at the nearest point to the location of the bridge?

General TAYLOR. Yes; that is generally done. Take the case of the New Orleans bridge. It was conducted at New Orleans. A hearing on a bridge across the Columbia River would, in all probability, be conducted at Portland, Oreg., that being the place where all the parties who might be interested, either for or against the bridge, would have probably the best opportunity to come.

I cite these statements of General Taylor for this purpose: Those are the hearings conducted where the General determines to have a hearing. Under the ordinary bridge bill it is optional with the Board of Engineers or the Secretary of War whether a hearing shall be held; but under this bridge bill, under section 1 of both of the bills, that hearing is made mandatory,

and it is apparent from the testimony of General Taylor that expenses are incurred in these hearings for stenographers, and so forth.

On that point I desire to state, Mr. Speaker, that the people of Oregon opposed to this bridge in its present form have already made a demand upon the Secretaries referred to therein for a hearing, and we have been promised such hearing. I read to the Speaker a letter from Secretary Hoover, addressed to me, dated December 27, 1926.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SINNOTT. Not now.

MY DEAR MR. SINNOTT: Apropos of our conversation a few days ago, I have now had an opportunity to consult with my colleagues regarding the proposed bridge across the Columbia River at Longview. They agree with me that if the bill should become a law such hearings should be held. No doubt these hearings will need to be held locally under some delegated authority from the three Secretaries.

Yours faithfully,

HERBERT HOOVER.

Mr. Speaker, as to the expenses that may be incurred in the investigation which the Secretary of War is directed to make under section 7 of the bill, the bridge will cost from \$3,000,000 to \$5,000,000, according to the statements of the proponents of the bill. It was stated in another body that the bridge would cost from \$4,000,000 to \$5,000,000. It was stated in the House hearings that the bridge would cost \$3,000,000. Under section 7 of the bill the Secretary of War is directed to investigate and make an accounting and a finding of the cost of the bridge, the financing, and all the promotion costs. That finding and that accounting can not be made for nothing. I requested information about this from the Secretary of War, and on January 3, 1927, I received the following letter from him:

DEAR MR. SINNOTT: Receipt is acknowledged of your letter of December 28, 1926, asking for an estimate of the probable cost of making the investigation provided for in section 7 of the bill, H. R. 11608, Sixty-ninth Congress, first session, entitled "Granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct, maintain, and operate a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg."

In reply I would state that the investigation contemplated by the above-mentioned section is of such a special nature that it is impracticable to give an accurate estimate of the cost at this time. However, it is estimated that the expense will probably range from \$2,000 to \$5,000, depending upon the fairness and reasonableness of the accounts submitted.

Very respectfully,

DWIGHT F. DAVIS, *Secretary of War.*

Therefore, Mr. Speaker, to reiterate my contention, it is that these bills appropriate property of the United States, and further that they set in motion a train of circumstances that ultimately, and I may say immediately, will lead to the expenditure of money.

Mr. BURTNES. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. BURTNES. Does not the reasoning of the gentleman lead one inevitably to the conclusion that all of these bills should be upon the Union Calendar and not upon the House Calendar, because all of them, if the gentleman's reasoning is correct, appropriate public property to the use of private individuals, and all of them involve the expenditure of money in passing upon the plans and specifications—

Mr. SINNOTT. Oh, no.

Mr. BURTNES. And the only difference is one of degree as to the amount that is spent.

Mr. SINNOTT. No; not at all. The point I make as to the disposition of property is if the Speaker should hold that the bed of a navigable stream is, for any purpose, the property of the United States, as these cases hold, then, of course, all bridge bills should go upon the Union Calendar, unless you may say that the custom of the House is stronger than the positive language of the rule.

As to the other proposition; no. The other bridge bills do not show upon their face an expenditure. It is a matter of argument. It is a matter of speculation and conjecture as to the ordinary bridge bill whether or not expenditures will have to be incurred. But this bill makes it positive. It puts a positive obligation and duty upon the Secretary of War to investigate expenditures amounting to from \$3,000,000 to \$5,000,000 and ascertain whether they are correct.

Mr. BURTNES. But does not the gentleman concede that under the terms of the general bridge act the duty imposed

upon the Chief of Engineers and the Secretary of War in connection with the approving of plans and specifications of necessity requires that some money must be expended?

Mr. SINNOTT. No; there is no duty upon them to hold a public hearing. Under the bridge act the plans and specifications are sent to them, and they are to deal with the matter at their office.

Mr. BURTNES. What is there in the present bill that imposes more of a duty upon them than does the general bridge bill?

Mr. SINNOTT. It is made mandatory; they are to hold public hearings. The Secretary, under the ordinary bridge act, is not directed to hold public hearings, but here the three Secretaries are directed to hold public hearings.

Mr. BURTNES. The gentleman has said that the Chief of Engineers holds hearings.

Mr. SINNOTT. That is a matter of option with them. If it was an ordinary bridge bill and this point was made, your reply would be that it was a mere matter of argument and conjecture as to whether they will have any expenses in hearings, but in this bill it is made obligatory on the three Secretaries to hold hearings, and the Secretary of War has said that the expenditure will amount to from three to five thousand dollars to investigate the cost of the bridge according to the provisions of section 7.

Mr. GARRETT of Tennessee. Mr. Speaker, I rise in opposition to the point of order made by the gentleman from Oregon. Ordinarily a bridge bill is not of such importance as to demand consideration to any great extent on the part of Members of the House other than the particular committee charged with the duty of investigating the propriety of passing the measure. But when we are confronted with an unusual measure, carrying unusual provisions and fixing precedents, we may be pardoned if we decline to treat it as purely a local matter and take some interest in it.

I understand it to be the contention of the gentleman from Oregon that the bill belongs upon the Union Calendar because it carries a charge upon the Treasury, and so shows upon its face. I respectfully take issue as to the fact. The gentleman argues that it is a transfer of Government property. If that be true it would belong on the Union Calendar.

But, Mr. Speaker, I am astonished that the gentleman from Oregon, or any gentleman from any State, would be prepared to concede that the Federal Government is the owner of the bed of the stream and the banks where that stream is navigable. The gentleman has read a decision from the Supreme Court of the United States. If the gentleman will reexamine that opinion he will not find any assertion to the effect that the Federal Government owns the bed of the stream or the banks of the stream, but that the decision says "navigable waters." And the only interest, Mr. Speaker, which the Federal Government has in the navigation feature of any stream, and that interest it has is under the commerce clause of the Constitution of the United States.

I should deplore very greatly having a decision here from the Speaker of the House indorsing the doctrine that the Federal Government may step in and divest the riparian owner and divest the State of their jurisdiction over the bed of a stream when the farthest extent to which the courts have gone has been simply to deal with the navigability of the waters in a stream.

Therefore it seems to me that that part of the gentleman's contention must fail. It is not a transfer of public property or any easement therein, other than giving the right to construct a bridge over a navigable stream, and all the interest that the Government of the United States has in the matter is to be safeguarded by referring that matter to the Secretary of War that he may protect the interest, the only interest the Government has; that is, the interest of navigation.

The second contention of the gentleman is that the bill "sets in motion a train of circumstances destined ultimately to involve certain expenditures" and therefore it must be considered in Committee of the Whole. I again respectfully take issue with him upon that statement of fact.

The bill does not show such a thing upon its face. It is true that the bill proposes the unusual feature of adding to the Secretary of War two other Cabinet officials who are to pass upon it. I pause here to say that that is a remarkable thing to me. I can see some shadow of reason, although it is a very dim shadow, why perhaps the Secretary of Agriculture might be consulted because his department is the administrator of the fund appropriated by Congress for the construction of highways, but that is so remote as to not, in my opinion, give

the Secretary of Agriculture any proper place in the picture. And how can it possibly be argued that the Secretary of Commerce has any place in the situation? Mr. Speaker, there are many factors and elements in the character of the Secretary of Commerce that I greatly admire, and I very much respect his ability, his energy, and his ingenuity, but remembering that life is uncertain, that death is certain, I shudder to think where we are driving when we reach the point that we can not authorize the building of a bridge over a navigable stream in the country without calling in Mr. Hoover. [Laughter and applause.] It is unnecessary to have these officers, but for reasons satisfactory to the gentleman directly interested in the construction of this bridge they have been provided for, and I will make no complaint of it.

But their inclusion adds nothing to the expense. If it does, I should complain of it. If that adds to the expense, and therefore makes this a Union Calendar bill, then we better strike them out.

Surely, Mr. Speaker, there is nothing in this bill to differentiate it, so far as the expense is concerned, from any of the ordinary bridge bills of the House of Representatives. If the Speaker shall hold, if he shall go so far beyond what the courts have ever laid down as the law, that the Federal Government is the owner of the bed of a navigable stream simply because it is navigable, then every navigable stream falls within the rule, and no bridge bill can be considered except upon the Union Calendar, because the only reason for having these bills passed by the Congress is to protect the interest of the Government. Its only interest now is navigation, but if by any decision the Government be held to be the owner of the bed, then its interest will be vastly expanded.

I need hardly remind the Speaker that the rulings of the past are very clear. I quote from notes in the Manual:

To require consideration in the Committee of the Whole, a bill must show upon its face that it falls within the requirements of the rule; but where the expenditure is a mere matter of speculation, or where the bill might involve a charge but does not necessarily do so, the rule does not apply.

The gentleman from Oregon has argued that by reason of a provision of the bill, under certain conditions, a public hearing may be had; that it is mandatory in its character. I do not so read the bill or the language of the bill. But even if that were true, there is nothing save the remotest implication that it would carry a charge upon the Treasury to have that hearing. The only cost to which the gentleman referred as possible, so far as I could hear his remarks, was perhaps some stenographer's fees for taking down the testimony of witnesses. I have as much right to assume that the department will use one of its own stenographers already upon the pay roll, at no additional expense to the Government, as has the gentleman the right to assume that they will call in and hire an outside stenographer. All those things are purely speculative, and I respectfully submit that the point of order of the gentleman does not lie.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to be heard for a moment in opposition to the several points of order made by the gentleman from Oregon [Mr. SINNOTT]. I observe that the gentleman who makes these points of order, and the principal gentleman sustaining him, are opponents of the bill itself. Attention has been called to two bills, one a Senate bill, which lies on the Speaker's table, and the other a House bill, which is on the House Calendar. It is not necessary to confuse the two. The points of order are in reality made against the House bill. The Senate bill is secure in its right to lie on the Speaker's table. I think that will be conceded. Those opposing the House bill were good enough to give me sufficient notice that their main point of order was to be made this morning, so that I had time to consult with prominent Members of the House who are skilled in parliamentary tactics and to inform myself otherwise in opposition to the points of order, and thus I am firm in my contention that the points of order are not well taken; that they do not conform either to the rules or the precedents.

Further emphasizing the rule to which attention has been called by the gentleman from Tennessee [Mr. GARRETT], I call the attention of the Speaker to the following paragraphs in Hinds' Precedents which interpret that rule, and these occur in volume 4:

PAR. 4809. A bill which might involve a charge upon the Government, but does not necessarily do so, need not go to the calendar of a Committee of the Whole.

PAR. 4810. A bill that may incidentally involve expense to the Government, but does not require it, is not subject to the point of order that it must be considered in Committee of the Whole.

PAR. 4811. To require consideration in Committee of the Whole a bill must show on its face that it involves an expenditure of money, property, etc.

PAR. 4818. Where the expenditure is a mere matter of speculation the rule requiring consideration in Committee of the Whole does not apply.

Further, Mr. Speaker, it occurs to me that section 4 of the general bridge act protects the whole situation. It contains the following declaration:

* * * It shall be the duty of the Secretary of War, after giving the parties interested reasonable opportunity to be heard, * * *

This bill differs from the ordinary bill in that two other Secretaries are joined. The reasons for adding the two other Secretaries are, first, that the Federal-aided highways are on each side of this river. The bridge is to be the connecting link. It is not necessarily a part of the Federal highway at all, but is a connecting link, and to protect that situation the Secretary of Agriculture was named in the bill. Second, it was claimed also that there might be some danger to navigation, and, therefore, the Secretary of Commerce was named. All of these provisions were by agreement. All of these departments have district agents at Portland, Ore. It is assumed that a public hearing, if any, would be at that place where all the departments have subdivisions, and this will preclude the idea of especial costs other than those which are normal and proper and provided for under the clause of the basic bridge act which I have just read.

The cost, as has been indicated, would be that which is only incident to the conduct of the office of the Secretary of War. It is customary for such hearings to be held locally by the district engineers of the War Department. I contend, therefore, that the point of order, in so far as it lies against the House bill, is not well taken. Further, Mr. Speaker, I agree fully with the gentleman from Tennessee [Mr. GARRETT] that there is nothing in the contention that the bed of the river and the banks thereof are Government property, and shall not attempt to add anything to what he has said with reference to that point.

Mr. DENISON. Mr. Speaker, the point of order of the gentleman from Oregon [Mr. SINNOTT] is based upon two grounds as I understand it, namely, that this bill calls for an appropriation of public property, the property of the United States, and an appropriation or expenditure of money of the United States. In support of his first contention the gentleman from Oregon read from a speech that I made in the House during the last session, in which I was discussing the source of the jurisdiction of the Federal Government over the navigable waterways of the United States. In that discussion I cited a number of early decisions of the Supreme Court. The gentleman misunderstood what I said, and he has misunderstood the decisions that were cited. I do not think it has ever been held, and I have never heard it contended before, that the Federal Government actually owns the title to the land under the navigable waterways of the United States. On the contrary, the Supreme Court has held that the title to such land is not in the United States but is in the adjoining States, and, if a navigable waterway is within the State, then the title is in the State itself or the citizens of the State who own the property on the shores of the waterway. The Federal Government does not own the bed of the stream, nor does it own the water of the stream. The Federal Government has jurisdiction over the stream merely as a matter of commerce, for the purpose of commerce, and that is all it has; and when the decisions use the expression that the navigable waterways of the United States are the property of the United States, it is used in the sense that the United States has jurisdiction over them for the purpose of commerce, and it does not mean that the United States has the actual title to the land beneath the water nor to the water itself.

So that when the gentleman from Oregon contends that this bill ought to go to the Union Calendar because it involves an appropriation of property of the United States, that position is not tenable at all. It does not involve property of the United States in the sense in which that term is ordinarily used and understood. Now, with reference to the other point that this bill provides for or involves an appropriation or an expenditure of money of the United States. Now, Mr. Speaker, if that is true, every bridge bill which has been passed by Congress since March 23, 1906, has been placed upon the wrong calendar, and every bridge bill that is hereafter reported to the House will have to go to the Union Calendar, if the contention of the gentleman from Oregon is correct;

because every bill we report and every bill that has been reported in former Congresses since the passage of the act of March 23, 1906, has contained the specific provision that the franchise to construct the bridge is granted subject to the provisions of the act of March 23, 1906; and that act requires that before any bridge can be built under the authority of an act of Congress the plans and specifications must be presented to the Chief of Engineers and the Secretary of War and receive their approval; and the uniform practice of the Chief of Engineers and the Secretary of War is to hold a public hearing in all such cases, and let the parties go before the engineers and present their plans and specifications, and if there are any persons objecting they are given the right to come before them and present their objections. That is the practice in all cases in the construction of all bridges, and no bridge in the United States can be built over any navigable waterway of the United States until after the plans and specifications have been presented to the Chief of Engineers and the Secretary of War, and a hearing held and their approval received. That is required in all cases. If the contention of the gentleman from Oregon is sustained in this case it means it must hereafter be sustained in reference to all bridge bills and it is going to get us into an embarrassing situation.

Mr. BURTNESSE. Will the gentleman yield?

Mr. DENISON. I do.

Mr. BURTNESSE. I simply want to ask the gentleman a question of whether it is not true that on the face of this bill there is no mandatory provision to the effect that a hearing must be held.

Mr. DENISON. Oh, no.

Mr. BURTNESSE. I will put it this way; that as far as this bill is concerned, it is quite within the range of probability that no hearing will be held, that a hearing is not to be held unless the request is made therefor, and for the purposes of passing on this point of order it seems to me that it is impossible for the Speaker to take into consideration the question of whether a hearing will be held. I call special attention to the last line of page 2 and the first two lines of page 3:

The said Secretaries, acting jointly, are empowered and, if requested to do so, are directed to hold public hearings for the full and complete determination of said precedent requirements.

It is now only a question of speculation as to whether such a hearing will ever be requested or not, and it seems to me that entirely brings the bill away from the argument made by the gentleman from Oregon.

Mr. DENISON. The gentleman from North Dakota is entirely correct.

Mr. SINNOTT. I think the gentleman, from the letter cited, will find that the request has been made and granted.

Mr. DENISON. I want to add just a word in answer to the statement made by the gentleman from Tennessee [Mr. GARRETT], and I want to relieve his mind of some doubts he expressed in regard to the provisions under which this bridge is to be constructed. As I said a moment ago, the plans for all bridges over navigable waterways have to be approved by the Secretary of War and Chief of Engineers under the general bridge law.

This bill was introduced in the first place in that form and was considered in that form by the House committee; but when it went to the Senate and serious opposition developed to it there the parties who were in favor of and against the bill reached an agreement before the Senate committee agreeing to put these unusual provisions in the bill in order to be absolutely sure of protecting the commerce of the Columbia River, namely, that the plans for the bridge must first be approved by the Secretary of Commerce and Secretary of Agriculture as well as by the Secretary of War. The Senate committee inserted those provisions in the bill as an extraordinary protection to the commercial interests of Portland and because those who were opposed to the bill agreed that their inclusion in the bill would remove their opposition to its passage. With that understanding a similar bill was introduced in the House and favorably reported to the House by our committee.

Now, the same parties are here trying to defeat the bill on a point of order on account of the very provisions that were placed there for their benefit and at their request.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. DENISON. I yield.

Mr. GARRETT of Tennessee. I think I have stated that I was willing to acquiesce in the agreement that has been made by the other parties to place this provision in the bill, but I

hate to see a precedent set. I reiterate the statement that it is utterly foolish to add the Secretary of Agriculture and the Secretary of Commerce.

Mr. DENISON. I will state that I have advised all the Members who have spoken to me about the matter to the effect that this is the last bill that shall get through my committee with my consent containing that kind of a provision. I would not have agreed to it in this bill if it had not been for the fact that the parties who were opposing and those who were favoring this bill got together and agreed that if we put those provisions in the bill we would remove the objections to its enactment. After that was agreed to in the Senate our committee reluctantly agreed to it; since then in the case of the bridge across the Elizabeth River, at Norfolk, Va., a bill for which was introduced by our colleague from Virginia [Mr. DEAL], an attempt was made to place the same kind of a provision in that bill, and I refused permission to its being done.

I do not think it ought to be in this bill, but it was put in to remove the objections now being made to it; and by agreement of the interested parties this unusual provision was inserted as an additional precaution to protect commerce going to and from the city of Portland, and it simply provides that the plans shall first be approved by the three Secretaries. But that does not necessarily involve any expenditure of money. The Secretary may sit in his chair in his office here in Washington and grant his approval or disapproval, if he wants to, without spending a cent or without spending any particular energy. It is mere speculation for gentlemen to claim that this bill ought to go on the Union Calendar because of some supposed or speculative expenditures that may be required. If that contention is true, every bridge bill will have to go on the Union Calendar, for every bridge bill we pass requires that before the bridge can be built the plans must first be approved by the Chief of Engineers and the Secretary of War.

Mr. CRUMPACKER. Mr. Speaker, the gentleman from Illinois [Mr. DENISON] has been very fair throughout the entire controversy. Does not the gentleman remember that representatives of the city of Portland requested at the hearing that the words "location and public convenience" should be included in the bill, and that the provisions were strictly in conformity with the other provisions of the bill?

Mr. DENISON. I do not recall that, but I recall that they wanted some provision in the bill stating that before the bridge could be built the Secretaries should first grant a certificate of public convenience and necessity. I objected to that, because it had no proper place in a bridge bill. Bridges are not yet generally recognized as public utilities.

Mr. GARRETT of Tennessee. We are the judges of that. All that the department has to do is to see that the interests of navigation are protected.

Mr. CHINDBLOM. Mr. Speaker, I want to call attention to the single precedent cited by the gentleman from Oregon [Mr. SINNOTT] under section 3 of Rule XXIII:

Where a bill sets in motion a train of circumstances destined ultimately to involve certain expenditures, it must be considered in Committee of the Whole (IV, 4827).

It is a well-known doctrine in the determination of the effect of a decision, whether by the courts or the presiding officer of a deliberative body, that the words used in the decision or syllabus must be understood in connection with the subject matter that is involved. What is involved in that decision? Hinds, volume 4, section 4827, cites a decision rendered by Speaker Cannon on December 12, 1904, bearing on the point. There was before the Speaker at that time a bill which provided for the retirement of certain petty officers and enlisted men in the Navy prior to the expiration of their term of service. The term of service had been fixed by law at 30 years, and the bill then before the Speaker provided that they might be immediately retired. It said nothing about the enlistment of men to take their places. Speaker Cannon said it was perfectly clear that if those officers and enlisted men were retired other men would be appointed and enlisted to take their places, and that there would be the additional charge upon the Treasury of paying the retired pay to the men who had been relieved from duty. That was the only question decided. On that basis the Speaker used this language:

A bill which sets in motion a train of circumstances destined ultimately to involve certain expenditure must be considered in Committee of the Whole.

I suggest to the Speaker that if we are to follow that language literally there is not a single bill that passes this House

that does not ultimately set in motion a train of circumstances that may create expense. Every bill that we pass, whether a bridge bill or any other kind of bill, involves some duty or activity upon the part of some officer of the Government. The rules were never intended to require that whenever we find a duty to be performed by an officer for which the machinery has already been furnished, the bill must go to the Committee of the Whole. The only language in the rule on which such an argument can be based is that all propositions must fall under the rule if they involve on their face a charge upon the people. That necessarily means a new charge, a charge not already made on the people, a charge or lien or some financial burden that does not already lie on the people. In this case the bill does not set up any new machinery or provide for any new set of officers, but provides merely that the three Secretaries shall do things for which they have already adequate equipment and adequate personnel.

Mr. CRUMPACKER. Mr. Speaker, I would like to be heard very briefly on this one point. Section 7 of the bill takes the bill, to my mind, clearly outside the purport of the general bridge act of 1906. There are mandatory provisions in this bill before the House which require public hearings to be had and accounting to be made upon the question of costs, and I suggest that when an enterprise, such as the construction of this bridge, runs into \$5,000,000 or \$6,000,000, and it is mandatory under the terms of the bill upon the Secretary of War in this case to supervise and go over those costs, that it sets in motion a train of circumstances which will ultimately and immediately create a charge upon the country. I submit that the point of order is well taken.

The SPEAKER. The gentleman from Oregon has made several points of order, the first being against the Senate bill because it is improperly upon the Speaker's table, the second against the House bill on the ground that it appropriates public property, and the third against the House bill in that it necessarily involves a charge upon the Treasury.

In regard to the first point of order, the point of order being that the bill is improperly upon the Speaker's table, and should be referred to the committee, the Chair thinks that that matter is within the discretion of the Chair. As a matter of fact, in this instance the Chair was requested to hold that bill upon the Speaker's table by the gentleman from Washington [Mr. JOHNSON], representing his delegation, and the Chair held it with knowledge that a similar House bill had been reported by the Committee on Interstate and Foreign Commerce, but that such bill was reported without instructions to any Member to bring it up. The Chair thinks that even without such instructions, a bill similar to a Senate bill being on the calendar, it is entirely within the discretion of the Chair, at the request of gentlemen interested, to retain the bill upon the table.

With regard to the second point, that the House bill appropriates public property, the Chair is in entire accord with the gentleman from Tennessee [Mr. GARRETT]. To hold otherwise would unquestionably be to hold that every bridge bill should be referred to the Union Calendar. The Chair would not so hold. The Chair thinks that bridge bills in general—in fact, practically every bridge bill he has ever seen—should be referred, as the custom is, to the House Calendar.

The only question in the Chair's mind is whether this bill does not so greatly differ from all other bridge bills that an exception must be made in this case, and the Chair thinks that, in view of the suggestion of the gentleman from Illinois that the committee, with his approval, will never report out another bill like this one, it is perfectly safe for the Chair to say that all future bridge bills reported from that committee will be referred to the House Calendar and not to the Union Calendar.

The Chair is in very grave doubt as to how he ought to decide the third point of order. He has been much interested in and instructed by the arguments made by gentlemen on both sides of this question. To the mind of the Chair, it comes down simply to one point, and that is whether or not the provision that public hearings are to be held and other provisions also do not necessarily involve or predicate a charge upon the Treasury. We know that in the case of this particular bill there is a great diversity of opinion as to whether or not it ought to pass. Of course, the Chair is not concerned with that; but we all know that one great State is practically unanimously in favor of the construction of this bridge, while another great State, in so far as we can judge by the opinion and actions of its Representatives here, is equally opposed to it. Thus on the face of the facts it seems to the Chair evident that there will be public hearings upon this bill, probably protracted and probably demanding the summoning of witnesses

from different and distant points. Does that on the face of it show that a charge will be laid upon the public Treasury? The gentleman from Oregon has read two letters which show conclusively that this bill will in fact be a charge on the public Treasury. He has read a letter from the Secretary of Commerce saying that the three Secretaries have agreed to the demand for public hearings, and he has read a letter from the Secretary of War showing that the cost of the investigation will be considerable.

The Chair is in very grave doubt about this question. The Chair would be loath to set any precedent which would go further than the general precedent that a bill must show on its face that it will involve a charge. Of course, there is the precedent referred to by the gentleman from Illinois, that "where a bill sets in motion a train of circumstances destined ultimately to involve certain expenditures it must be considered in Committee of the Whole," and the Chair would be very loath to render a decision which would broaden that in any sense.

Do these provisions in this bill, unlike any other bridge bill, show conclusively upon their face that a public charge will be necessarily involved and that the bill should be on the Union Calendar? That is the question.

Mr. GARRETT of Tennessee. Mr. Speaker, is it agreeable to the Chair to permit an answer to the inquiry?

The SPEAKER. Certainly.

Mr. GARRETT of Tennessee. Mr. Speaker, take my own situation. The Chair speaks of the knowledge that the Chair has of the controversy. The Chair, I know, is perfectly familiar with it. Now, I am not. It may be that inasmuch as there have been various publications in the papers in connection with this bill that I ought to have known more of it, but all I know of this matter, except what has been developed here this morning, I derive from the reading of the bill itself and from the bill only, and I dare say that every Member of the House who has not had personal touch with the situation, such as naturally comes to the Chair, derives his information from the bill, and the bill does not show upon its face the fact that expenditures will be engendered.

If the Chair can mentally dis sever the information that has come to him from private conversations and from the letters read by the gentleman from Oregon from that which is contained in the bill itself, I respectfully submit the Chair, it seems to me, would have to overrule the point of order. This is the very reason that bill must show expenditures upon its face; that is why the Speakers have so held in the past. I respectfully submit that it is not proper—I mean parliamentarily proper—for the Chair to go outside the bill itself to determine the point of order and that the Chair has no right to rely upon information that has come to him other than from the bill, and no right to rely upon letters read from other officials of the Government. I mean no parliamentary right, of course.

The SPEAKER. The Chair agrees with the gentleman from Tennessee, that knowledge of facts previously acquired should not be a factor in determining this parliamentary question.

Mr. GARRETT of Tennessee. I dislike to trespass upon the Chair in the midst of his ruling, but if agreeable I would like to suggest this: The fact that there may be a hearing does not necessarily imply expense to the Government. Those gentlemen who are opposed to this measure are going to come before these Secretaries voluntarily. They are not going to have to be sent for. There is no authority given in the bill to subpoena witnesses. There is no power given to this board composed of the three Secretaries to compel the attendance of any person. The hearings which they are to have will be voluntary, and those who appear will voluntarily appear to make their statements, both those who are for and those who are against the proposition. That is a fair assumption. If it is otherwise, then the bill does not provide the machinery requisite to carry out the purposes of the act, because it confers no authority to subpoena witnesses.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. GARRETT of Tennessee. I only have the floor through the courtesy of the Chair.

Mr. JOHNSON of Washington. The customary practice, in the review of bridge plans, and so forth, and the holding of hearings when called upon, has been to have them conducted by the district engineer, and it so happens that the district engineer for all this section is located in the city of Portland, Ore., and each of the other secretaries has a district official in the city of Portland. So it is just as fair to assume that the expense that may come from holding public hearings, where the witnesses appear voluntarily, will be only the normal expense of the departments.

Mr. GARRETT of Tennessee. And, Mr. Speaker, public hearing does not imply expense. Indeed, I would venture to say that it implies to the contrary unless express provision is made in the bill for the expense. It is a matter of frequent occurrence; almost every week the Committee on Rules has public hearings and there is no expense attached to them.

The SPEAKER. That, of course, is a permanent organization.

Mr. NEWTON of Minnesota. If the gentleman will permit, I want to say it is a rather common thing to have public hearings before the different Secretaries of the departments on very important matters where there is no expense involved at all.

Mr. GARRETT of Tennessee. Indubitably those matters go on all the time. This does not differ, as I understand it, in any way from the hearings that are not infrequently had before the Secretary of War on a bridge bill where he has the sole authority.

The SPEAKER. The Chair, however, makes the distinction there that this is to be a public hearing which is to be held away from home and by a new organization, and will not come under a regular organization like the Committee on Rules, so it would involve expense.

The Chair is not relying on the definite statement of the Secretary of War that it will involve expense, though he happens to know that now. The only question in the Chair's mind is whether he should dismiss from his mind entirely knowledge of a definite fact which seemed very patent to him when he read the bill that public hearings held by three Secretaries thousands of miles away would necessarily involve expense. That is the only question in the Chair's mind.

The Chair, with very grave doubt as to the wisdom of his decision, but with knowledge that it will not create a precedent which will affect any other bridge bills or a precedent which will generally affect reference of bills to the House or Union Calendar, will overrule the first point of order made against the Senate bill and the first point of order made against the House bill in that it involves the appropriation of public property, and will sustain the third point of order against the bill in that it shows on its face it would create a charge on the Public Treasury.

Mr. GARRETT of Tennessee. Mr. Speaker, in view of the importance of the decision and the possibility that it may be a precedent and the expressed doubt of the Chair, I respectfully appeal from the decision of the Chair sustaining the point of order on the third proposition involved.

The SPEAKER. The Chair is very glad to entertain the appeal. The question is, Shall the decision of the Chair stand as the judgment of the House?

The question was taken, and the Chair announced that the noes had it.

So the decision of the Chair was not sustained.

NAVAL APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15641) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1928, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CHINDELOM in the chair.

The Clerk, proceeding with the reading of the bill, read as follows:

BUREAU OF AERONAUTICS

AVIATION, NAVY

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1927, \$914,000; for maintenance, repair, and operation of aircraft factory, air stations, fleet, and all other aviation activities, testing laboratories, and for overhauling of planes, \$8,050,400, including \$300,000 for the equipment of vessels with catapults and including not to exceed \$300,000 for the procurement of helium from the Bureau of Mines, which may be transferred in advance, in amounts as required, to that bureau; for continuing experiments and development work on all types of aircraft, \$1,728,600; for drafting, clerical, inspection, and messenger service, \$685,000; for new construction and procurement of aircraft and equipment, including not to exceed \$235,000 for the Naval Reserve, \$8,412,000, of which amount not to exceed \$4,100,000 shall be avail-

able for the payment of obligations incurred under the contract authorization for these purposes carried in the Navy appropriation act for the fiscal year 1927, approved May 21, 1926; in all, \$19,790,000; and the money herein specifically appropriated for "aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That in addition to the amount herein appropriated and specified for expenditure for new construction and procurement of aircraft and equipment, the Secretary of the Navy may, prior to July 1, 1929, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of \$5,000,000: *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of \$250: *Provided further*, That all claims adjusted under this authority during the fiscal year shall be reported in detail to the Congress by the Secretary of the Navy.

Mr. FRENCH. Mr. Chairman, permit me to make a short statement that will indicate what is included in the Air Service program provided for in the bill.

Subsequently to the approval of the appropriation act for the current fiscal year on May 21, 1926, an act was approved on June 24, 1926, designed to provide the Navy with 1,000 useful airplanes upon completion of deliveries under orders placed in pursuance of appropriations for the fiscal year 1931. While the act of June 24, above mentioned, did not become law prior to the current appropriation act, it was understood that the appropriations carried by the latter should apply toward the accomplishment of the program laid down by the former. With respect to the current appropriation and to the appropriation proposed in this bill for new construction of aircraft and equipment, the Chief of the Bureau of Aeronautics made the following statement to the committee:

As the committee is aware, no special appropriation has been made toward this program. The bureau, however, being most anxious to effect every possible economy, has gone carefully over the ground, has revised its wastage and procurement figures, and believes that with funds already appropriated it will go a long way toward completion of the first program increment during the current fiscal year; and if these revised wastage figures prove correct, that it will be able to complete the program on practically the same annual appropriations for new construction as have been available for the past two years.

The 1,000-plane program was based on a wastage of 33 1/3 per cent annually. More recent studies suggest that approximately 23 per cent would be more nearly accurate.

The total amount proposed in the Budget for aviation is \$19,790,000, plus a contract authorization for new construction and procurement of aircraft and equipment of \$5,000,000. The current appropriation is \$19,065,288, plus a contract authorization of \$4,100,000. There is an increase, therefore, of \$724,712 in the direct appropriation and of \$900,000 in the amount of the contract authorization.

On October 1, 1926, there were assigned to naval aviation a total of 692 officers and 3,587 enlisted men of the Navy and 89 officers and 894 enlisted men of the Marine Corps, a grand total of 781 officers and 4,481 enlisted men. The Chief of the Bureau of Aeronautics states that "considering the number of officers and men allowed for the Navy and Marine Corps as a whole, it is considered that a fair proportion is assigned to aviation."

LIGHTER THAN AIR

We possess one rigid airship—*Los Angeles*—and have one nonrigid, and a contract has been let for the construction of the experimental metal-clad airship authorized in the act of June 24, 1926. The *Los Angeles*, despite the reduced sum allowed for the maintenance and operation of the air station at Lakehurst, where it is housed, has continued to operate quite extensively thus far in the current fiscal year, having been employed in training personnel, in making various studies under flight in furtherance of the art of rigid-airship construction, and incidentally in checking the accuracy of compasses of radiocompass stations along the Atlantic seaboard. The committee has removed the restriction on expenditures at Lakehurst carried in the present law and has done nothing to hinder the employment of the *Los Angeles* in any way the department might see fit.

In the act of June 24, 1926, authority was carried for the construction of two rigid airships of approximately 6,000,000 cubic feet capacity each, at a cost of not to exceed \$8,000,000 for both ships. The act provided that the construction of one of the ships should be undertaken as soon as practicable and prior to July 1, 1928. No provision is included in the Budget for any new rigid airships. The President, in his message transmitting the Budget, specifically refers to this omission and gives his reasons, which coincide with those advanced by this committee a year ago when it advocated the experimental metal-clad airship. There is another factor, however, which should have the consideration of the Congress before proceeding under the authorization. We are told that if the two ships authorized were built simultaneously there would be a saving in their total cost of approximately \$2,000,000, despite the limitation of \$8,000,000 for both ships prescribed in the authorizing act. We have housing accommodations for large rigid airships on the east coast only—the hangar at Lakehurst, which cost approximately \$3,500,000. That hangar will accommodate two airships of the size projected. Unquestionably a somewhat similar hangar will need to be provided on the west coast and it would seem that if the two ships are to be built that they should be built together and the money thus saved used to provide additional housing facilities.

It is felt that attention should be directed to the need of something being done with respect to making available a larger supply of helium by the time these vessels are ready to operate, and possibly earlier, to meet the requirements of the Army and Navy for their present lighter-than-air equipment. The Petrolia field is rapidly diminishing and the processing costs are steadily rising, the latest figure being \$54.21 per thousand cubic feet. Tapping of another field can not long be delayed, but before that is done it may be wise for the Congress to give consideration to the matter of helium reserves.

REUBEN C. BLAND

Mr. WARREN. Mr. Chairman, I ask unanimous consent to proceed out of order for three minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WARREN. Mr. Chairman, just prior to the holidays the gentleman from Georgia [Mr. UPSHAW] introduced to the House with great satisfaction a constituent who was the proud father of 28 children. Such a feat was not permitted to go unnoticed by this body, and we paused in the consideration of an important bill to pronounce our acclaim. And so to-day, when the national defense of the country is being debated, it is fitting that we stop again and pay tribute to a man who has and is contributing more to the man power of the Nation than any other citizen.

Incensed and indignant that one would be so bold as to attempt to usurp his well-earned laurels, Reuben C. Bland, of Robersonville, Martin County, N. C., my most famous constituent, has come here to Washington and sits yonder in the Speaker's gallery. He is the father of 34 children, and this wonderful accomplishment has been the subject of song and poetry for many years. [Applause.] He stands in a class alone. He is the champion father of America. He is a walking advertisement of the great section of the country he hails from. He is supreme in his line, unequalled and unexcelled. [Laughter and applause.]

When the twentieth child arrived at the Bland household former Representative John H. Small, who so ably represented the first North Carolina district for 20 years, stated to Mr. Bland that he would present him with a suit of clothes for every child that came thereafter, and 14 times was Mr. Small called upon. It is useless to state that I made no such proposition to the gentleman. [Laughter.]

His fame has gone so far that only this morning upon his arrival he received the following telegram from a lady in Kansas City:

Reuben, Reuben, I've been thinking
You are quite a nifty man;
To your health I now am drinking—
You have done what few men can.

[Laughter.]

I ask this splendid American and North Carolinian to rise in the gallery so that the Members of this House may see what a real father looks like. [Applause.]

NAVAL APPROPRIATION BILL

The committee resumed its session.

Mr. BEGG. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 42, line 1, after the semicolon insert "toward the construction of one of the rigid airships authorized in Public Act 422, Sixty-ninth Congress, approved June 24, 1926, \$200,000.

Mr. BEGG. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BEGG. Mr. Chairman and members of the committee, I realize two things in offering this amendment. One is the natural feeling of hesitation that comes to us all in accepting the full responsibility of our office which has been given to us by the Constitution of the United States, particularly if in the assumption of that responsibility there may seem to be a running against some other element in the department of Government.

I think it not unwise to read two or three lines out of the Constitution of the United States dealing with this question:

The powers of Congress: The Congress shall have the power to provide for the common defense and general welfare.

That alone is a broad question.

The Congress shall have power to declare war. Congress shall have the power to raise and support armies. Congress shall have the power to provide and maintain a Navy.

I challenge any man anywhere to show me a line in that valuable instrument curtailing the right, authority, or privilege or releasing us from that responsibility.

I have no quarrel with any man that votes for the smallest possible Navy or the smallest possible Army. I do have a quarrel with the man in this House who believes one thing and then perchance for expediency votes for another.

I will call your attention to this fact, that in 1926 Congress overwhelmingly declared to be its policy on national defense that we should have two dirigibles or lighter-than-air ships.

I ask you men, before you vote down this amendment, to decide in your own minds whether there is a nation in the world, big or little, that has abandoned the lighter-than-air ship as an arm of defense. One of my colleagues said to me this morning, "Well, Jim, I am with you; I believe it ought to be done, but I do not believe it ought to be done now; let us wait until Great Britain has performed her experiment on the all-metal balloon.

Mr. Chairman, it seems to me that that is a shameful position to take. Here we are a great, rich, mighty, powerful Nation. Shall we sit back and let the countries of Europe perform the experiments in national defense?

Mr. BRITTEN. Mr. Chairman, I hesitate to interrupt the gentleman, but I know he desires to be corrected in this particular instance. The all-metal ship that is being constructed as an experiment is being built in Detroit. England, on the other hand, is experimenting with two very large rigid airships.

Mr. BEGG. I am glad to have the correction. The Detroit affair is a commercial one. The English ships will in all probability not be launched for a period of 18 months.

Mr. BRITTEN. They are not metal.

Mr. BEGG. Not metal, but they are ordered, and they are being built. England is indebted to this country, and she is paying in interest to us very many times more than I am asking in this amendment to begin the operation of our policy. Shall we assume the policy of a laggard nation in one branch of the national defense? It is wise to do that, if you can find a military man in the world who says that the dirigible balloon is not an adjunct to national defense. On the contrary, every naval man that I talked to made the statement that one dirigible will scout more territory in square miles of the ocean in a 24-hour period than perhaps five cruisers.

Mr. LaGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. BEGG. Yes.

Mr. LaGUARDIA. It is only during the last 12 months that we could get the Navy men to say that.

Mr. BUTLER. Oh, they have said it for 12 years. The gentleman is entirely mistaken.

Mr. BEGG. Mr. Chairman, I prefer not to have a discussion of that phase of the question enter into my remarks. Let us see just what are the actual facts. Will this House, by its inaction, repudiate its positive instruction in the Sixty-ninth Congress? To vote an authorization without an appropriation to follow it up is to make a promise with no intention to ever make good. Personally I do not subscribe to that sort of

doctrine either in public or private life. I shall not vote for an authorization to bluff the world at any time. I shall not vote for an authorization unless when I vote I shall follow it along with a vote to fulfill it, except, before it can be completed, the rest of the world has come to us and said, "Don't do it and we will quit."

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. BEGG. In a moment. Great Britain has already started. France has not yet come up and signed the agreement to pay her obligation to this country, and yet France has embarked on the dirigible proposition. Even Italy is building them and the country that we refuse to recognize, Bolshevik Russia, has laid her plans and has started on her proposal to go into the lighter-than-air ship building proposition. Can America sit idly by and permit the authorization to go by default, simply because some department of the Government has failed to come here and say to the Republicans, "Do your duty." Let me say again, whether you have ample national defense is not the responsibility of a soul in the world save you and me.

I am not a military man and never served an hour. I am not a believer in a big Navy and in a big Army, but I am a believer in a kind of defense that will command the respect of the big nations and the little nations. [Applause.] I yield to the gentleman from Maryland.

Mr. LINTHICUM. The gentleman heard what the gentleman from Alabama [Mr. OLIVER] said yesterday—that although we appropriate for cruisers the President need not spend the money. Suppose we should adopt the gentleman's amendment, must that money be expended or can the President just pass it by and not expend it?

Mr. BEGG. That, of course, is entirely foreign to the question. I do not know, with my limited knowledge, how I or anyone else could compel the President to spend the money if he said he was not going to, unless we resorted to impeachment, and I would not be willing to go to that extremity on a little issue of this kind.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to proceed for 10 minutes.

The CHAIRMAN. Is there objection?
There was no objection.

Mr. WEFALD. Mr. Chairman, will the gentleman yield?

Mr. BEGG. Yes.

Mr. WEFALD. Is the gentleman's amendment indorsed by the President of the United States?

Mr. BEGG. I shall answer that as best I can. Under a date line of September 4, 1925, in the Philadelphia Inquirer, at Swampscott, Mass., the President is quoted as saying—and, in fact, it was published throughout the press of the United States—

The disaster to the *Shenandoah* was appalling from the loss of life, but that it was like a great ship of the line going down, and that that ship must be replaced by another great airship.

That is as far as I can go in quoting the President.

Mr. McKEOWN. Does the gentleman's amendment make provision as to where this ship shall be built, by the Navy or by private parties?

Mr. BEGG. No; this money is to be turned over to the Navy and they are to advertise for bids.

Mr. McKEOWN. To be built by private parties?

Mr. BEGG. Certainly.

Mr. McKEOWN. Has the Budget refused to recommend this item?

Mr. BEGG. I shall not answer that in the affirmative or in the negative, but I do say to the gentleman that so far as the responsibility for national defense is concerned, nowhere in the Constitution can he lay it upon the shoulders of the Director of the Budget.

I will remind the gentlemen that a few years ago when the war clouds were hovering on the horizon of all the world this Congress, foolishly, I believe, refused to appropriate money to carry out the authorization established by the same Congress a little before that and lived to regret it to their dying day. And I am one man who will not surrender my responsibility as I see it in reference to national defense to any living soul in the world. [Applause.]

Mr. McKEOWN. Will the gentleman yield?

Mr. BEGG. I will.

Mr. McKEOWN. I understand the gentleman's position to be if the Budget does not agree with the national defense it is

all right to vote it down, but if the Budget provides matters in civil life—

Mr. BEGG. Oh, civil life is not half as vital as the American defense, whether or not they will get an extra clerk in the Department of Commerce as it is whether we shall get an extra airship, and I would like to call attention to something else. You can not build an airship short of three years, and if it is appropriated for two more years it will be five years. Before the World War broke out there was not a man in God Almighty's world under the Stars and Stripes who ever believed we would need an airship. I do not see any danger in the clouds but only the danger of lethargy and military flabberness that comes from indifference and decay in our branch of national defense of which I am talking about at the present time.

Mr. BRITTEN. If the gentleman will yield—I know he will have no trouble in securing more time if he wishes it—but answering two questions just proposed to the gentleman, I would like to say that when the Naval Affairs Committee, after investigation, unanimously authorized an appropriation for these two rigid airships, they did so after having had evidence that the authorization was in no way in conflict with the President's financial policy, and was not in conflict with the financial policy of the Director of the Budget, and had the complete approval of the President of the United States and the Director of the Budget at that time in this present Congress.

Mr. BEGG. I am going to get to that very thing. I regret I can not yield more. Now, what happens if this Congress does not make any appropriation to support the dirigible program? It can not be appropriated for before July, 1928, when the authorization expires unless contained in our deficiency appropriation bill, and there has never yet been to my knowledge any deficiency appropriation carried for a measure like this unless it was in time of war. So the Congress, when it refuses this amendment, will practically say that you want an authorization for a dirigible to go by default until after 1928, and then perhaps revive it again. If it takes as long to get it through then as it is to get through this time, instead of being three years it will be a minimum of six years before the United States branch of national defense can hope to have a single lighter-than-air ship of modern type. Now, in the Sixty-ninth Congress, on June 24, 1926, this authorization became a fact. It was signed by the President, and I have read nothing nor talked to the President at any time in which he has said a word that led me to believe that he had changed his mind when he signed this bill authorizing these dirigibles; and let me say again, an authorization to me is a promise to pay, and when I give you my promise to pay, pay I will, and my Government certainly can do no less.

Mr. BUTLER. Will the gentleman yield?

Mr. BEGG. I will.

Mr. BUTLER. While I reported the bill advocating this, will the gentleman please tell the House what the vote was on that bill?

Mr. BEGG. I am sorry I have not that, but I will be glad if the gentleman would tell us. It was overwhelming, I know.

Mr. BUTLER. I think it was unanimous. That is my recollection.

Mr. WEFALD. It was not.

Mr. BUTLER. I do not want to misquote the gentleman, but I do not think there was any roll call, as I remember.

Mr. WEFALD. I think there was.

Mr. BUTLER. That is all I have to say.

Mr. BEGG. Now, the Navy Department approves this proposition. The Naval Affairs Committee approves it, the Senate approves it, and even went further than we did, and they made an appropriation, and put it in a deficiency bill, which was dropped out in conference.

Mr. LOWREY. Mr. Chairman, will the gentleman yield there?

Mr. BEGG. In just a minute. So that if for any reason this amendment is not agreed to this afternoon, the responsibility in the future, if it becomes a serious fact, will not be a joint responsibility of the legislative and the executive, but it will be a responsibility resting solely on the lower House of Congress. All other branches of the Government have at some time spoken in the affirmative, and I believe, my friends and colleagues, we can not afford as Congressmen to assume that big a responsibility in making our one branch of the national defense absolutely inoperative and helpless and in such a condition that it might just as well be abolished and abandoned.

Mr. LOWREY. What is supposed to be the final cost of these aircraft?

Mr. BEGG. Eight million dollars for two.

Mr. LOWREY. Your proposition is begin one?

Mr. BEGG. Yes.

Now, for a statement of the reasons of the authorization, you can find them in the report accompanying the bill H. R. 690, pages 3 and 4. I shall not quote that, because I do not believe it is necessary to argue with the House as to why we need the dirigible ships. I am assuming that everybody demands that, because every naval man demands it, and no nation has abandoned it. That certainly ought to be conclusive proof, but for those of you who want information I recommend that you read those documents, and there you will find affirmative arguments.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BEGG. Mr. Chairman, I would like to have two minutes more.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BEGG. The United States is favored in the matter of the lighter-than-air ship in that we have the helium gas, and I think I am not misstating the fact when I say that no other nation has it, and yet every other nation is going forward in their development, in their experimentation and in their program and coming to the time when they actually and really will have that branch of their government. In other words, the rest of the Navy will be in perfect condition. England, without the use of the helium gas, which is almost unlimited in this country, has already begun construction on two rigid airships of the type contemplated. Those ships will probably be commissioned within a period of two months.

The Spanish Government, operating under a dictator, has embarked upon the program of constructing airships designed to carry passengers and freight, and they have offered a subsidy to private individuals for doing that. I know that in America we are afraid of the term "subsidy," but if you want to embark on a new venture like the development of the rigid airship or the lighter-than-air ship, one of two things must be done: Either private industry must be subsidized or the Government must make the investigation and the experimentation. I do not believe that my country is going to refuse the paltry sum of \$200,000 to embark on a program for one ship that in three years' time will perhaps only consume the relatively small amount of \$4,000,000 or \$4,500,000, when at the same time they are pioneering in the field of national defense and lending a great arm of assistance to the national Navy.

Italy, another country operating under a dictatorial form of government, is flying and building ships of the semirigid type. Recently, in this House, we voted unanimously an honor to a few boys for performing one of the greatest feats of the age when they took a heavier-than-air ship and flew over the North Pole. Do you know that Italy did the same thing practically with a lighter-than-air ship? And the Congress of the United States this afternoon, with our untold billions of wealth, is hesitating to appropriate \$200,000 to build an experimental ship of the same kind. Certainly, gentlemen, we will never refuse to take that little forward step, not all for national defense. Italy and Spain are using the dirigible as a means of commerce and transportation for freight and passengers. Is it not possible that this country could well afford to do its bit and make its contribution along the line of progress just as well as two small countries like Italy and Spain and some of the rest of the nations in Europe?

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. BEGG. Yes.

Mr. CONNERY. I would merely like to ask the gentleman whether it is considered that these are to be built by private enterprise?

Mr. BEGG. That is as I understand. It is not for the benefit of any private individual.

Mr. CONNERY. It is to build in time of peace a commercial aviation which in time of war could be used for national defense?

Mr. BEGG. Yes. My idea is to get men of a little experience in the construction of the lighter-than-air craft. I do not care whether the first ship flies or does not fly, but I want some men in America trained and some organization built up so that we shall be abreast of the times and of the rest of the world. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. BUTLER. Mr. Chairman, I ask that the gentleman may have one minute. I want to say to my friend that this is not an experiment. Years ago we voted through these airships. I ask my friend from Ohio not to refer to these ships as an experiment. They are the guardians of the sea, and we have always recognized them as such.

Mr. BEGG. May I have a minute more?

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BEGG. I will say to my friend from Pennsylvania that I did not say it was an experiment. I said if it were an experiment I was willing to spend the money.

Mr. BUTLER. But it is not an experiment.

Mr. BEGG. Of course, it is not. These other countries are flying.

Mr. BUTLER. I think the vote was 7 to 1.

Mr. LANHAM. Mr. Chairman and gentlemen of the committee, some inquiry was made with reference to the vote on April 12, 1926, authorizing the construction of two dirigibles. I am advised that the vote was 297 in favor of the adoption of the policy and 40 against.

I am, and have been, very much interested in our lighter-than-air development; and that interest has been prompted by a very careful study of the subject. In this country we are incited to such study by reason of the fact that we are providentially blessed in having a practical monopoly of that element which makes possible successful lighter-than-air operation. I refer to our helium, which the Almighty seems to have placed in relative abundance within our borders. Other nations of the world have searched for it in vain. They have been doing much and varied investigation in an effort to find it. It is said that Japan has even experimented with the gases that escape from its volcanoes. When we read in the papers that some other nation is hopeful that it has discovered a possible source of helium supply we read also of the great gratification which attends such a pleasant and encouraging prospect. But, to date, other nations have been disappointed in their quest, and in volume for sufficient practical operation the United States stands alone as the possessor of the coveted supply. And yet, with our usual prodigality, we waste enough of it perhaps in a single year to meet our needs for purposes of defense and offense for half a century to come.

Let me call your attention to the fact that, despite the lack of helium in other countries, they are going on with the development of their lighter-than-air programs. As has been indicated by the gentleman from Ohio [Mr. BEGG], two big dirigibles are being built in England at the present time. Here in the United States, where we are so specially and peculiarly blessed with that agent and element which makes such flying safe and practical, we have not in our Navy a single dirigible that could be used for the purposes of war for which such ships are primarily designed; one, I mean, of sufficient size for the desired scouting at sea.

We have the *Los Angeles*, to be sure, but we acquired the *Los Angeles* under treaty terms, which preclude its use for military and naval purposes. Therefore, it is practically useless as a weapon of war except for the opportunity it affords for the training of our personnel in the lighter-than-air field. Were this country plunged into war—and I pray that it may not be—the Navy is to-day without a rigid dirigible to carry on that work for which we are so peculiarly fitted by our monopoly of helium supply. Nations not so favored realize the importance of this branch of defense. Surely we shall be penny wise and pound foolish if we neglect it.

You will recall that we lost the *Shenandoah*, our first great dirigible, in a most lamentable accident. We lost it, however, in a very severe storm. I recall reading the statement of a survivor to the effect that the twister which wrecked it would have been sufficient in its intensity to demolish a Pullman car. But the only ones who lost their lives in that disaster were those in the control car, which was suspended from the real framework of the ship. This car was broken loose and hurtled through the air.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. LANHAM. Those who were in the envelope itself, in the compartments there provided, came down safely, though the ship was broken into three pieces. This lamentable accident has taught us to make the control car an integral part of the ship itself, in accordance with the construction of the *Los Angeles*. The *Los Angeles* is being operated to-day by many of the same crew that survived the *Shenandoah* disaster. They still advocate the importance of lighter-than-air development. They tell us that their lamented comrades were pioneers in a field of great possibilities, and that they would have us carry on. They believe that we may thus express our best tribute to their friends and former associates whom they mourn. Shall we fail in this duty?

We have lost many more men in submarines than we have in dirigibles, but we still build submarines. We have lost many more men in explosions in munitions factories than we have in dirigibles, and yet we continue our munitions factories. Almost any large American city loses more people each year through automobile accidents than have been lost in lighter-than-air flying, but autos remain the vogue. But, my friends, with the unfortunate destruction of the ill-fated *Roma* we began to use helium in our airships. The *Roma* was filled with hydrogen. Since we instituted this change of policy there have been no deaths in our lighter-than-air operations except in the case of the *Shenandoah* catastrophe; and in that instance helium saved the lives of most of the crew. In the case of the *Roma* all perished. So the loss of the *Shenandoah* itself, deplorable as it was, has exemplified the wisdom of the use of helium.

Mr. CONNERY. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. CONNERY. The gentleman was speaking about submarines. Does not the gentleman think, in his experience and after what we went through in the World War, that the dirigible is the best scouting agent we can use against the submarine?

Mr. LANHAM. I was coming to that very thought directly. Let me bring it to your attention that, during the great World War, despite the fact that helium was not then in use, great damage was done by hydrogen-filled dirigibles, and the experts have told us that, even with all the risk attendant upon their operation under such circumstances, their use was justified by their effectiveness.

Now, what is the cost of a dirigible? What has been the cost of our whole expenditure with reference to this great helium project? Much less than the cost of a battleship; about that of a single cruiser. I am speaking of the entire expense of the industry since its very inception about 10 years ago. Yet they tell us that one of these dirigibles, with a cost of about one-fourth that of a cruiser, has the efficiency of three or four cruisers as a scouting ship. I would not disparage the cruisers. We need them on sea, but the dirigible has perhaps an even more important mission in the air. In my judgment, we should look properly to our defense both on the water and above it.

What is the peculiar efficiency at sea of a dirigible as a naval weapon? Let me try to tell you. In the first place, we know that in cruising at sea lighter-than-air ships are not subjected to the same inconvenience that attends their operations over land. They do not have to resort to the different altitudes necessitated in cross-country flying by variations of contour and topography. On land they have to rise high to go over mountains, but may operate at lower levels over the plains. On the sea their work is facilitated by a constant level.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. LANHAM. Consequently there is greater facility of operation, and also greater opportunity for saving the precious helium, because no necessity arises for losing it by valving. It is practically impossible at present to avoid valving helium in crossing a great mountain range. But there is a greater advantage than that. Let me ask you this: How far from our shores can a heavier-than-air machine go and return safely, and how long can it remain on such a trip? Well, the *Shenandoah* could have gone 2,000 miles. Furthermore, it could have stopped whenever desired. With the engines stopped, such a dirigible could hover indefinitely in one place and return to shore when its mission had been accomplished. So you see,

gentlemen, that as a scouting ship in times of war there is no other vessel of sea or air comparable to the dirigible. At sea, with greater facility of operation than on land, it can go to great distances, stay as long as desired, do the necessary scouting, send back reports by radio, and return at will.

So I say that it is even more an adjunct of naval than of military service. For the mere purposes of transportation on land the trains, by reason of their greater capacity, offer better opportunities, despite the fact that they travel at slower speed; but on the sea there is nothing yet devised that can take the place and do the work of the dirigible. [Applause.]

Mr. FRENCH. Mr. Chairman, I was wondering if gentlemen on the other side would like to use any more time. There are one or two speeches to be made against the amendment.

Mr. BRITTEN. May I suggest to the gentleman having in charge the bill now before the House that some one in opposition to the amendment enlighten the House as to just what may be expected of them.

Mr. FRENCH. Mr. Chairman, I would like to know about how much time will be desired on this amendment.

Mr. DAVEY. I would like 10 minutes.

Mr. FRENCH. Possibly in that way we could arrive at the proper order of procedure in debate.

Mr. VINSON of Georgia. If the gentleman from Idaho will permit an inquiry, or, rather, a statement, from the conversations over on this side it has been indicated that nearly every Member here is for the proposition. It occurs to me that the opposition should give the committee the benefit of why they refused to incorporate this item in the appropriation bill. All of us want to speak for this amendment, and it would take the whole afternoon—

Mr. AYRES. I will say to the gentleman from Georgia, that if all on his side are in favor of the amendment, there certainly ought not to be any more speeches over here for it.

Mr. VINSON of Georgia. I agree with the gentleman. I think the committee would like to have the reason why the gentleman from Idaho and the gentleman from Kansas refused to put this in the bill.

Mr. AYRES. The gentleman from Idaho will probably tell the gentleman a little later on.

Mr. FRENCH. Mr. Chairman, I ask that the time for debate on the amendment be limited to 30 minutes, one half to be controlled by the gentleman who offered the amendment [Mr. Bagg] and the other half by myself.

Mr. VINSON of Georgia. Reserving the right to object, Mr. Chairman, if the gentleman will indicate how many speeches there are in opposition to the amendment of the gentleman from Ohio, we can then determine whether that is a correct allotment of time. There are a great many of us who want to support this proposition, and we will probably want to consume more than 30 minutes.

Mr. FRENCH. My request was limited to 30 minutes, 15 minutes on the side.

Mr. DAVEY. I would like 10 minutes.

Mr. VINSON of Georgia. If the gentleman will permit a further inquiry, the subcommittee is divided on this proposition. The gentleman from Alabama [Mr. OLIVER] certainly should be permitted to have more than five minutes, and those of us who are members of the Committee on Naval Affairs should have more than five minutes.

Mr. FRENCH. Then, Mr. Chairman, I modify my request and ask that the time of debate on this amendment be limited to 1 hour, 30 minutes to be controlled by the proponent of the amendment, Mr. Bagg, and 30 minutes by myself.

The CHAIRMAN. The Chair is in doubt as to the right in committee to provide for control of the time.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman from Idaho and the gentleman from Ohio control the time, 30 minutes on each side.

The CHAIRMAN. The gentleman from Idaho has already preferred a unanimous-consent request. What was the request of the gentleman from Idaho?

Mr. FRENCH. My request was that the time of debate on this amendment be limited to one hour; and if it were agreeable, I would suggest that the time be controlled by the proponent of the amendment for the amendment and by myself against it.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent that debate upon the pending amendment—

Mr. FRENCH. And all amendments thereto.

The CHAIRMAN. And all amendments to the amendment be limited to one hour. Is there objection?

Mr. EDWARDS. Mr. Chairman, reserving the right to object, does that cut off debate on the amendments to the amendment?

The CHAIRMAN. The amendment and all amendments thereto, but not to the paragraph. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. TABER].

The CHAIRMAN. The gentleman from New York is recognized. There has been no control of the time granted.

Mr. TABER. Mr. Chairman, this seems to me to be a very important matter and a matter which has not been approached from the military necessities of our country, from the standpoint of its practicability, or from the standpoint of its value, nor has there been any attempt to fairly present to the House what the cost of the proposition may be.

I am going to ask a couple of questions. First, what are we going to fly these ships with, if we have them? You have heard about helium. Do you know how much helium we have available right now? There is not helium enough above ground to more than permit the *Los Angeles* to fly now.

Mr. APPLEBY. Will the gentleman yield?

Mr. TABER. And the monthly production has dropped below—

Mr. LANHAM. Will the gentleman yield?

Mr. TABER. I will not. There is not at the present time helium enough above ground to more than fly the *Los Angeles*.

Mr. FROTHINGHAM. Will the gentleman yield?

Mr. TABER. I will not, at this time.

Mr. FROTHINGHAM. Does not the gentleman think he ought to add to his statement that they tried to get it last year, but the Committee on Appropriations would not give them the money to get the helium?

Mr. TABER. That is not the situation. That is a sample of the general lack of attention to the exact situation which generally prevails throughout this body. The facts are that the present production of helium is less than 400,000 cubic feet per month. The requirements of the Army and the Navy for flying ships are for the Army 4,000,000 cubic feet per year and for the Navy for the supply of the *Los Angeles* alone 6,000,000 cubic feet per year, a total of 10,000,000 cubic feet per year.

Now, that is the situation—10,000,000 cubic feet per year requirement for what we have now got in the air. Four hundred thousand and a little less, with a continually progressive dropping off in the production, so that for the current year it is hardly possible that there will be three and a half million cubic feet produced. That is the situation at the present time with reference to that.

There is another field available which might produce 22,000,000 cubic feet a year if it was connected up. Figure your ships on the basis of consumption of the *Los Angeles* and you have not got enough to fly the new ship. It will take 18,000,000 cubic feet alone for that.

Mr. OLIVER of Alabama. Will the gentleman yield? The gentleman does not want to mislead the House. The gentleman does not desire to leave an impression on the House that the information before the subcommittee, a part of which was in executive session, was not that there was an ample supply when one department of the Government got appropriations to obtain it.

Mr. TABER. The gentleman from Alabama is mistaken. I have the greatest respect for the gentleman from Alabama; he is one of the most valuable Members of this House, but we have this situation—if we are going into this kind of a proposition, we ought to go in knowing that we are doing something more than building an experimental ship which can not be duplicated, and when it is duplicated can not be supplied with helium. He has not taken into account the requirements of the proposed ships, which will be 1,000,000 cubic feet per ship.

Mr. BUTLER. Will the gentleman yield?

Mr. TABER. Yes.

Mr. BUTLER. Then I made a mistake in reporting such a bill. If there is no helium, I ought to abandon it.

Mr. COLTON. Will the gentleman yield? Does the gentleman take into consideration the wells which we have in my State that produce natural helium gas?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TABER. I have taken into consideration only that quantity of helium which the geologists of the Department of Commerce having in charge the helium proposition at the present time have estimated. The amount of helium required to operate two of these 6,000,000 cubic feet is at least 36,000,000 cubic feet per year.

Mr. WAINWRIGHT. Will the gentleman yield? Isn't it extraordinary, if the gentleman is correct, that the Navy should be urging as a matter of national defense the construction of these ships?

Mr. TABER. I have not been able to find after careful examination of those in charge of lighter-than-air ships, that they have given consideration to it and have a realizing sense of what they actually will use.

Mr. WAINWRIGHT. Does the gentleman say that the Navy Department is not urging the construction of the ships?

Mr. TABER. I can not say at the present time. The Navy Department came before us without the Budget estimate, and the only questions before us about a dirigible were those that we drew out, except with reference to the *Los Angeles*.

I want to give you the factors of cost of this proposition and call your attention to the program the Navy Department submitted to the Naval Affairs Committee in the order of procedure which they recommended. It was not a 6,000,000-cubic-foot ship but a training ship with an estimated cost of one million and a half dollars, and the building time 18 months. Item No. 2 was west-coast base, and item No. 3 two 6,000,000-cubic-foot ships. This program is altogether contrary to that which was laid out and it is altogether contrary to that which common sense would dictate.

I am going to tell you something as to what this program will cost because if you are going to have the ships and they are going to be of military importance we must not only have a west-coast base but a Pearl Harbor base, and they will each cost \$4,000,000. The helium storage tanks must hold 6,000,000 cubic feet in Lakehurst, in Pearl Harbor, and on the west coast.

Mr. WAINWRIGHT. Will the gentleman yield? What of it if it is necessary. [Applause.]

Mr. TABER. If it is practicable.

Mr. APPLEBY. I would like to ask the gentleman if he voted for the bill last year?

Mr. TABER. I did not vote for the dirigibles in the Committee of the Whole, and it does not matter whether I did or not, the question now is not whether we passed the bill a year ago recommended by the committee, it is whether we need it now.

Mr. APPLEBY. We are saving 30 per cent of the helium which was lost last year.

Mr. TABER. As I say, it will take 20 tank cars, and the cost is going to be \$25,000,000 instead of \$8,000,000. The idea of building all these things without having any legislative authority for connecting up more helium, no appropriation authority anywhere, and not having any place to put them, and not having anything to fly them with!

Mr. BEGG. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. BEGG. The gentleman was in favor of the authorization a year ago, was he not?

Mr. TABER. No; I was not.

Mr. BEGG. I was of the impression that the gentleman voted favorably to the authorization. I do not mean the appropriation, but I mean the authorization in the Sixty-ninth Congress.

Mr. TABER. I was opposed to it.

Mr. BEGG. Then I ask the gentleman this question: What has happened since this Congress authorized the construction of two airships, from that date to this, that would cause us to change our national policy of defense in this particular branch of the Government?

Mr. TABER. I have tried to demonstrate to the gentleman that we have not available enough helium to make enough of these ships fly, to make them a military practicable proposition.

Mr. BEGG. How much helium gas has Italy and Spain and France and England and Japan.

Mr. TABER. They use hydrogen and nothing else.

Mr. BEGG. Have we not just as much hydrogen as they?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

Mr. BEGG. Mr. Chairman, a parliamentary inquiry.

Mr. GREEN of Iowa. Mr. Chairman, I make the point of order that the gentleman from New York should not be interrupted by a parliamentary inquiry.

Mr. BEGG. The request that was made was specifically a request for the control of the time. Every gentleman on the floor here so understood it, I think.

The CHAIRMAN. The Chair stated at the time that he did not believe that request was in order. The gentleman now addressing the Chair held last spring that it was not in order.

Mr. BEGG. If the Chair will permit, I am perfectly well aware of that, and when the request was made I was aware that if I had been in the chair I would not have allowed it.

The CHAIRMAN. The Chair did not put that portion of the request. The order now is that there shall be one hour of debate. The gentleman from New York asks unanimous consent to speak for two minutes. Is there objection?

There was no objection.

Mr. TABER. Mr. Chairman, I call the attention of the House to this fact. Great Britain is building two 5,000,000-cubic-foot hydrogen ships, which have not been proved to be safe. They intend to use them not for military purposes, but for commercial purposes. Italy has a nonrigid ship and is building one, as I understand it, of about 700,000 cubic feet capacity, which is about the capacity of the nonrigid ship which our Army has. I can see no possible situation where the appropriation of money for the commencement of this ship is justified from the standpoint of how we are going to build it, or what we are going to fly it with, or what we are going to do with it, and it seems to me an absolute waste of money at this time to make this kind of an appropriation.

Mr. APPLEBY. Mr. Chairman, I call the gentleman's attention to the fact that he voted for the bill. I have the record here.

Mr. TABER. I was opposed to this proposition, and I always have been. I voted against the dirigibles in the committee and notwithstanding my opposition to them voted for the bill because it contained about five other matters of which I approved. We can not have everything our own way.

Mr. FRENCH. Mr. Chairman, there will be only one speech opposed to the amendment. If any gentlemen on the other side would like to go ahead, I would be glad to defer for one or two.

Mr. OLIVER of Alabama. Mr. Chairman, in view of the fact that the gentleman from New York [Mr. TABER] has raised the question as to our supply of helium, I desire to make a brief statement in reference thereto. It so happens that I am a member of the subcommittee handling appropriations for the Department of Commerce. The Bureau of Mines, transferred from the Department of the Interior to the Department of Commerce, is the bureau charged with the duty of procuring helium for the Army and the Navy. This bureau is well informed of the fields where helium can be procured, and a representative from that bureau was called before the Subcommittee on Naval Appropriations, part of his statements being given in executive session. I am sufficiently familiar with the information which the Bureau of Mines has in reference to our supply of helium as to be able to correct some statements of the gentleman from New York in reference to it. Permit me to say in this connection that I appreciate his kind personal reference to me, and I share the same high opinion of his service on the committee. No one studies the Navy appropriations bill more closely or is better informed of its details than is the gentleman from New York.

In so far as the procurement of helium is concerned, it was collateral to the inquiry we were making in reference to this bill, because we had no authority to carry appropriations therefor in the Navy bill. However, these are the facts. The field from which we have been processing helium is now about exhausted, and it is questionable whether long after June next we will find a sufficient supply of gas to justify, from an economic standpoint, the processing of further helium from the limited supply of gas from that field. Within 30 miles, however, of where our helium plant is now located, is the field known as the Nocona Field, and the Bureau of Mines told this committee and also the subcommittee handling appropriations for the Department of Commerce that in the Nocona Field is a supply of helium sufficient to meet for many years the needs of the Army and Navy. The Bureau of the Budget at the last session recommended an appropriation for the purpose of laying pipe to the Nocona Field from the Government helium plant.

One reason why our subcommittee did not recommend it to Congress at that time was that we felt it might be more economical to acquire a much larger and better field, where the helium content of the gas to be processed would be much greater than in the Nocona Field, and where the supply was sufficient to many times meet the Army and Navy requirements for an indefinite time; and this committee in executive session was informed by a representative of the Bureau of Mines of this fact and also the amount at which the field could be pur-

chased. Now let me say to the gentleman from New York that he is also in error in assuming that congressional authority has not yet been given for leasing or purchasing gas fields from which helium can be processed. The Committee on Appropriations in a deficiency bill less than two years ago made an appropriation to aid in having set apart a helium reservation in the State of Kansas, and the Department of Commerce is now authorized to procure, by purchase or lease, gas fields for the production of helium. This is the only difficulty at present—the authorization for the procurement of helium was given to the Secretary of the Interior, to which department the Bureau of Mines was then attached, and when Congress transferred the Bureau of Mines to the Department of Commerce, the authority to purchase gas fields was not vested in the Department of Commerce but remained with the Department of the Interior. Bills are now pending on favorable reports in both Senate and House to correct this.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUTLER. Mr. Chairman, I ask that my friend may have one additional minute to answer a question, not to be taken out of the one hour. Is there any doubt—

Mr. OLIVER of Alabama. May I ask the gentleman from Ohio if he will yield me five additional minutes?

Mr. BEGG. It is not a question of yielding. The Chair has control of the time. There is still a great deal remaining of the hour.

The CHAIRMAN. Does the gentleman from Alabama request more time?

Mr. OLIVER of Alabama. I ask for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama that he may proceed for five additional minutes? [After a pause.] The Chair hears none.

Mr. BUTLER. The gentleman is well informed, and I ask him, Is there any doubt as to our ability to acquire all of the helium we need to use to fill these big bags when constructed?

Mr. OLIVER of Alabama. Absolutely none whatever.

Mr. BUTLER. Then I do not think I was wrong.

Mr. OLIVER of Alabama. The committee handling appropriations for the Department of Commerce will bring before Congress that very question at this session, and it will be for Congress to determine what action in the matter of procuring additional helium shall be taken, and we will then have more time to discuss the question than now. But, in passing on, let me say there is not the slightest doubt but what we have an unlimited quantity of helium, and it is thought that a gas field capable of producing a very large amount of helium can be procured for a reasonable sum, and when procured our Government will be the only Nation in the world, so far as is now known, that will have any helium. That was in the mind of Congress when less than two years ago you passed a bill prohibiting the export of helium; in other words, recognizing its national-defense value, you passed legislation to prevent it ever passing into hands not American. [Applause.]

Mr. McCLINTIC. Will the gentleman yield? I want to say, Mr. Chairman, I am in hearty accord—

Mr. OLIVER of Alabama. I know the gentleman is thoroughly familiar with this whole subject and that no one is better qualified to give information on it than he, and since I understand he is in agreement with my statements, and there is one other feature I wish to touch on, and I have such a limited time I regret that I can not now yield. Now, in reference to the importance of building one lighter-than-air ship at this time, Congress by a large vote authorized two at the last session, and the information supplied to our committee from those in the Navy as well as those in civil life qualified to speak as experts, was that we now have all information required to show that from an engineering standpoint it is entirely feasible and practical to build a fabricated airship of 6,000,000 cubic feet dimension, and that such a ship gives promise of splendid performance not only as a scout for the fleet but as a transport for mail, light freight, and passengers on a paying basis across the ocean. [Applause.] The only reason why this committee last year recommended to this House that it appropriate \$300,000 for a metal-type machine of small dimension was that we might demonstrate that class of lighter-than-air ship had potential promise that should be studied, but those who are its strongest supporters recognize that even if such ship when constructed performs as its sponsors believe it will, that still you must advance by slow stages to ships of large dimensions of that type.

All engineering experts, both naval and civilian, after long and mature study of lighter-than-air craft, are agreed that we are now supplied with accurate and full information, based

on what has been built or is now in course of building in the way of this type of ship, to design and construct a large ship, such as this amendment offered by the gentleman from Ohio seeks to provide an initial appropriation for. The structural type will be essentially different from the large ships which Great Britain has now in course of construction. This is due to the fact that we will use as a lifting power not hydrogen, a high explosive, but helium, and your carriage will be swung in a way not like as in the *Shenandoah*, but in such way as to greatly advance safety, reliability, and comfort. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. OLIVER of Alabama. Mr. Chairman, may I have two minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. McCLINTIC. I object.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

Mr. OLIVER of Alabama. I appreciate that, but, Mr. Chairman, I simply ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BRITTEN. Mr. Chairman, I ask to be recognized on my amendment.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. BRITTEN. Mr. Chairman and gentlemen of the committee, as far as I can learn, there is but one official objection to proceeding with the construction of this rigid airship to-day, and that official objection is not important. It is carried in the President's annual Budget message, and it says in substance, "Pending experiments made on an all-metal ship"—it is not indicated where, but I think it is being done at Detroit—"pending experiments on the construction of an all-metal ship, appropriations be withheld for the time being on the two ships that were authorized last session, a year ago, by this present Congress."

Now, let me tell you something about that all-metal ship. In the first place, it is of 200,000 or 250,000 cubic feet capacity. In the parlance of airships, it is a "tin lizzie" in comparison with what we are considering here this afternoon, which is a 6,000,000-cubic-foot rigid airship. Everybody who came before the Committee on Naval Affairs—experts, if you please—requested the authorization for that experimental ship, for the construction of which Uncle Sam pays 50 per cent and the manufacturers themselves pay the other 50 per cent, and they led the committee to believe that it was in no sense an experiment for the 6,000,000-cubic-foot machine. In no sense whatever was it intended to be anything that would ever develop to the 6,000,000-cubic-foot airship. Only now the manufacturers are requesting permission, when it is completed a year or two from now, to use hydrogen, rather than helium, because I think it is a question whether helium, which has not the carrying capacity of hydrogen, will lift the darn thing off the ground. [Laughter.]

Now, some one on the floor a few moments ago—

Mr. BUTLER. If you put a half crew on it, it will never lift.

Mr. BRITTEN. Yes. Some one suggested that we wait for experiments to be made by England. What do we care about British experiments on aircraft. We want to lead the world in aircraft production, just as we lead the world in every other line of production. If we wait until Great Britain completes her experiments, you may wait five years and then have nothing. Uncle Sam is the great financial magnate of the world, and if he can not experiment in this laudable operation, in the name of heaven, who can? People or countries that owe us money? Certainly not.

The gentleman from New York [Mr. TABER] used one single argument against the appropriation of money to-day, and that was that we did not have enough helium at present to run that ship. Well, we have not the ship at the present time, have we? Of course, we have the helium at the present time, and we will probably have enough in storage tanks to run our battleships at present, and it will take three years to build this ship now under consideration before the committee. Does anyone mean to suggest before this House that we will not have helium in four years?

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Not now. Of course, we have helium. Has England any helium? She has not a cubic foot. Has Italy

a cubic foot of helium? Has France? Certainly not. All the helium in the world is right here in the United States.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. TABER. I object.

Mr. BRITTEN. The gentleman who objected utilized five minutes himself. He is always too fair to object to a request of that kind. I think under the gentlemen's agreement at this time I am entitled to time under the five-minute rule. If I am not, I will yield to the gentleman from New York.

Mr. BUTLER. Mr. Chairman, will the gentleman yield me 30 seconds? Will the Chair let me take one minute?

The CHAIRMAN. Has the gentleman from Illinois [Mr. BRITTEN] any request pending?

Mr. BRITTEN. Yes. I have, Mr. Chairman. I ask unanimous consent to proceed for one-half minute in order to explain to the House the gentlemen's agreement that exists over on this side for the control of the time of one hour in the debate on this amendment now pending before the House.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for half a minute. Is there objection?

Mr. TABER. I object.

Mr. BRITTEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRITTEN. I would like to make inquiry of the Chair as to just what will be done when the one hour's debate agreed upon between gentlemen having in charge the bill that is now before the House expires?

The CHAIRMAN. There will be a vote on the pending amendment.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BUTLER] may have five minutes.

Mr. BUTLER. I do not want five minutes. I want only one minute. I do not know anything about the gentlemen's agreement. It is a question whether or not we mean what we say. If a mistake has been made here I want to remedy it. I will move to take this ship out of this bill. I know where the indorsement of this amendment came from.

I know I consented to write it in the bill because of the great indorsement it had. However, I wrote in a time limit, that time limit being July 1, 1928, and unless we do it now we should take the ship from the bill, because it will never be built. Certainly the House ought to know what it is capable of doing. We run up the hill one year and the next year we run down, but I do not propose to do it as far as I am concerned.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DAVEY. Mr. Chairman and gentlemen of the committee, I have a sort of joint interest with my distinguished colleague from Ohio in this amendment, because the only existing dirigible industry in the country happens to be in my district. I want to make two or three statements particularly to supplement what has already been said. The case has been well stated by the preceding speakers, but there are two or three points I want to emphasize. The first one is this: That we have under construction an experimental metal-clad ship. Nobody who is fair-minded wants to discount the possibilities of that metal-clad ship, but I want to emphasize the fact that it is purely experimental, and the last thing I heard about it was that they did not know how they were going to get the gas into it; that all of the known facts in the field of lighter-than-air craft have to do with the so-called Zeppelin type, and that all we do know is connected with this particular type.

The other point I want to emphasize is the fact that we can not learn very much from England or these other countries, because they are building hydrogen ships; and even if we waited until they are all done and have made their experiments and learned their lessons they may be of relatively small value to us. Furthermore, reverting to this so-called metal-clad type of ship, I want to emphasize the fact that it is a small outfit, of probably 200,000 cubic feet capacity. It is the best judgment in the industry that it will take 8 or 10 years, after they have proved that the small ship is a success, to develop the successive stages from one size to the other until they get it up to a point large enough to be of practical value. In other words, if we are going to learn anything about dirigibles, and if we are going to make any progress in this arm

of the national defense, we, in America, having the only available supply of helium, must concern ourselves with the development of our own particular industry and get our own experience for the use of our own projects.

Just one thing more I would like to refer to, and that is as to the suggestion made by one speaker—I think the gentleman from New York—that there is a great deal of interest in the commercial side of this proposition. I wonder if that is a matter of grave concern, whether there may grow out of it a great commercial development. The thing that justifies us in appropriating Government money is the fact that it has great and admitted military value. I do not think there has been a dissenting voice on that question. The fact is, however, that in the field of dirigibles and lighter-than-air craft there is a possible development that staggers the imagination. I wonder what we may expect to come in the future if and when we make this a great practical success, as we have reason to believe it will be, if American business men and tourists can get on a great dirigible in the city of Los Angeles or San Francisco or Seattle or Chicago or New York and land in Europe within two or three days or depart from any station in the United States and land in China or Japan in perhaps three or four days. The commercial possibilities of this are simply stupendous, and all this Congress will be doing is to make possible the practical development for defensive purposes of something which will be of immense value to America commercially.

Mr. DARROW. Will the gentleman yield?

Mr. DAVEY. Yes.

Mr. DARROW. Can the gentleman tell the House or the committee where the *Shenandoah* was built?

Mr. DAVEY. I think the *Shenandoah* was built in a navy yard.

Mr. DARROW. In Philadelphia. I thought the gentleman said the only dirigible factory was in Ohio.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. McCLINTIC. Mr. Chairman and gentlemen of the committee, this House, in one respect, is making history to-day. To me it is a remarkable fact that up to the present time there have only been two Members to give notice that they are going to oppose an amendment which relates to aircraft. Some three or four years ago the sentiment was quite a good deal different from that which exists at the present time. I can remember that when I took a position on aircraft there were some who were disposed to make light of that position, but to-day we find aircraft support is practically universal in this House, and that means it is universal in the country. That means, Mr. Chairman, the country now knows that if we did not have adequate aircraft we would have to lock up every single ship that steams out on the water in time of war, and when you take that into consideration you must know that unless we develop aircraft in all of its branches and in the proper way we can not have an adequate defense for this Nation. I wish to compliment the House and the country for having assumed a progressive attitude.

Now, a few minutes ago I attempted to put a little piece of information in the Record relative to the supply of helium gas. I think it is important that the House should know there are probably a dozen oil fields in the southwestern section of the United States where helium gas can be produced in very large quantities. I want to say further that a very distinguished Oklahoman some six or seven years ago came before Congress with a bill in which he sought certain rights for the purpose of developing helium gas to be sold commercially, but the Navy Department or some other department of our Government, and probably wisely, did not feel warranted in giving favorable approval to this piece of legislation; consequently he did not pursue the subject any further. So there need not be any question in the mind of any person here as to the supply of helium gas, for all the Government has to do, as I understand it, is to extend their pipe lines into some other field, and if any new field should become exhausted they can extend it to some other. I am sure that the quantity of helium gas in these oil-producing fields of the Southwest is sufficient to take care of all the needs of our Nation from the standpoint of aircraft, and this amendment should be adopted.

Mr. CONNERY. Will the gentleman yield?

Mr. McCLINTIC. I yield.

Mr. CONNERY. I understand from the gentleman's remarks that he believes exactly as I do, that not only with respect to these dirigibles but the entire aircraft situation the United States should be well prepared for times of war.

Mr. McCLINTIC. For the reason that in times of war we can not start a single vessel away from our shores to any other nation, if that were necessary, unless we have aircraft to protect them. If we did otherwise, we would lose our ships and be a defeated Nation.

Mr. LAGUARDIA. Will the gentleman yield? The gentleman is at least consistent, which is more than can be said for some of the other friends of the amendment.

Mr. McCLINTIC. I thank the gentleman. I am always glad to be consistent.

Mr. BEGG. Will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. BEGG. When the gentleman from New York had the floor I asked the direct question whether he voted for the authorization bill, and he made a statement in the negative, that he did not. Now, the record is that he did vote for it, and in talking with him he said he voted for it because he was in favor of other provisions of the bill, and in the committee he voted against the dirigible part of it, but in order to get the other provisions he had to take the dirigible part. I merely make this statement because I think the House is entitled to know that he was at least halfway committed to the dirigible proposition when we passed the authorization bill.

Mr. COYLE. Will the gentleman yield for a question?

Mr. McCLINTIC. Yes.

Mr. COYLE. Does the gentleman recall the testimony of Carl B. Fritzsche, the general manager of this aircraft corporation, that if his tinclad was to set back the dirigible, he would rather have the tinclad experiment scrapped entirely than the big dirigible not built?

Mr. McCLINTIC. I think Mr. Fritzsche's testimony relative to aircraft was in line with progress.

Under leave given me to extend my remarks I wish to call attention to an amendment offered by Congressman VINSON of Georgia during the later discussion of this bill, which had for its purpose the carrying out of our aircraft program as approved by Congress last year. Mr. Vinson has made the statement, if I understood him correctly, that the recommendations made by Admiral Moffett to the General Board were reduced to an amount equaling 40 per cent. I think it is interesting to let the country know that the General Board is not very enthusiastic over the development of this branch of the Navy, but, on the other hand, judging from bills now being considered by the Naval Affairs Committee, would prefer to spend larger sums of money for the construction of ships and the reconditioning of certain battleships.

A bill now pending before the committee would authorize an appropriation of more than \$13,000,000 for the elevation of guns and making of certain other repairs on the battleships *Oklahoma* and *Nevada*. This money, if applied to the purchase of aircraft, would more than take care of the number of planes needed to fit up our aircraft carriers. If Congress should authorize the expenditure of this sum for the reconditioning of these old, slow ships and not furnish a sufficient number of planes to equip our airplane carriers, it would not be possible to use the reconditioned battleships in time of war. It is now generally considered that the same, unless properly protected from the air, can be sunk by dropping bombs from planes. A battleship, on account of its slowness and vulnerability to attack, can in the future render but little service to the Nation except in peace times. No one would ever think of sending any of our battleships to the shores of a major nation in case we have war, for the reason all major nations will maintain an aircraft force superior to one that could be brought aboard any invading fleet.

Therefore, if any of our battleships during a war should cross the ocean and get within a few hundred miles of the shores of a major nation, it would mean the total destruction of ships of this type.

As to the elevation of the guns, giving them a range of 4 or 5 additional miles, when it is taken into consideration that the projectile fired from the same at an elevation of more than 30° will have to describe an arc before it can hit an object, the result will be, according to an estimate given me, one hit out of every 10,000 shots. Projectiles fired at the present range, if they strike the water prior to reaching the target, will ricochet and do a lot of damage. But when a shot has to describe an arc, and the target is only approximately 100 feet wide, one can readily understand how utterly foolish it is to expect some enemy ship to stand still and wait to be hit.

I can not conceive of any situation with respect to a war with a foreign country where a battleship can be used until after aircraft has played its part, and when a nation is licked

in the air it is finished completely. Therefore, if we are to protect our country in the proper way, we should stop the foolish expenditures of money for old, obsolete types of ships and further develop aircraft and such fast auxiliaries as are needed to round out the fleet.

The CHAIRMAN. The Chair will state that on an equal division of time there are three minutes remaining in favor of the amendment.

Mr. UPDIKE. Mr. Chairman and gentlemen of the committee, I was somewhat reluctant to speak on this amendment in view of the fact that we have older members on the Committee on Naval Affairs than myself. However, I believe it is my duty and my responsibility to stand in favor of our national defense. I have had some little experience in the way of warfare, and I want to say to you gentlemen here this afternoon that when I stood on the battle fields of France I was convinced beyond any reasonable doubt whatsoever that our aircraft is our future defense for our Nation. [Applause.]

I sat day after day on the Committee on Naval Affairs and heard the testimony of experts with reference to what this dirigible would be when it is constructed, and they have convinced me that when these two dirigibles that we authorized in the last session of Congress are constructed they will be of value to us, not only of military value but of commercial value.

Something has been said with reference to our store of helium. I am convinced that if we will go ahead and develop our helium in this country we will have enough helium to supply our wants in the future. It will take some three or four years to construct this dirigible, which the amendment calls for the starting of at the present time, and I may say to you that within three years from now if we do not develop our helium in this country the responsibility will be upon us. I thank you. [Applause.]

Mr. CONNERY. Will the gentleman yield for a question?

Mr. UPDIKE. I will be glad to.

Mr. CONNERY. The gentleman knows well, as a service man on the fields of France, what it meant not to have American airplanes over his head, which he would have had if before we want to war Congress had provided for the airplanes.

Mr. UPDIKE. That is exactly right. [Applause.]

Mr. FRENCH. Mr. Chairman and gentlemen of the committee, in the very limited time that I have allotted to myself I must touch quite briefly upon several points that are involved. First, let me say a word with regard to policy. It has been stated that because these dirigibles have been authorized it follows that they must be appropriated for almost immediately. Surely Members do not seriously contend for such a program. Whether this proposition is begun through an appropriation now or in another Congress does not concern the question of policy. This Congress is for a dirigible. It probably is for two dirigibles. The fact that authorization is made does not commit the Congress to appropriate money immediately. A program has been indicated, but always with the reservation that subsequent action as to time must rest with the discretion of the Congress at a future date. There are authorizations going back for a dozen years for battle craft, for instance, for projects for which no appropriations have been made. More than that, the proponent of the amendment apparently recognizes the truth of my statement, because his amendment calls for but one dirigible and not for two.

Second, this bill was passed less than one year ago. When the bill was reported to the Congress there was a time limit within which work should be begun, and the time limit was July 1, 1927. However, in view of the experimentation that was going on and that was about to be begun in the metal type of lighter-than-air craft, and upon the insistence of Members of the Congress that the time—July 1, 1927—was too soon a time within which to begin one of these dirigibles, this Congress, upon the motion of the chairman of the Naval Affairs Committee that reported the bill, put in an amendment, at the suggestion of myself and other Members upon this floor, that the time be extended to July 1, 1928.

Third, what is the attitude of the President? The President of the United States indicated, I think, as the gentleman from Illinois [Mr. BRITTON] said, his agreeableness to the authorization a year ago. On the other hand, in the President's message that came to this Congress at the beginning of the Congress one month ago we have this statement:

The Navy five-year air program approved June 24, 1926, authorized the construction of two rigid airships of approximately 6,000,000 cubic feet volume, the two to cost not in excess of \$8,000,000. The act provides that the building of one of these ships shall be undertaken as soon as practicable and prior to July 1, 1928. Having in mind that

the Congress recently appropriated \$300,000 for the construction of an all-metal airship for experimental purposes, to determine by practical demonstration the type of construction and character of material to govern in the future in the making of lighter-than-air craft, it is thought the part of wisdom to wait upon this determination, even though it may be found necessary to ask for an extension of the time limit placed on the initiation of work on one of the ships.

So then it appears that the President during the present Congress has asked that we do not make appropriation for this particular work, yet he has indicated, inferentially, his agreeableness to an ultimate program of building a fabric dirigible should the pending experiment for which the Congress has made appropriation not demonstrate all that its proponents hope for it.

Mr. VINSON of Georgia. Will the gentleman yield right on that point?

Mr. FRENCH. Briefly.

Mr. VINSON of Georgia. Is that the same reason why the subcommittee did not put it in? The gentleman from New York said the reason he did not vote for it was because we had no helium.

Mr. FRENCH. I shall come to that. In the first place, I am in accord with the President's recommendation. That was the thought of the members of the subcommittee a year ago when they went to the chairman of the legislative committee and urged that an extension of time beyond the first date fixed be put into the bill. That is the essential reason the date was changed from July 1, 1927, to July 1, 1928.

Mr. BEGG. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. BEGG. If this Congress does not appropriate to begin construction, when can it appropriate so as to prevent the voiding of the authorization?

Mr. FRENCH. That was the proposition that I wanted to come to next. The gentleman himself in his speech said that unless the appropriation was carried in this bill it could not be appropriated for in another Congress unless it came through a deficiency bill. The gentleman misapprehends the situation. The next Congress will convene on the first Monday in December next, seven months prior to the 1st of July in 1928. It will be well within the possibilities; whether desirable or not is another question, but well within the possibilities for the Bureau of the Budget to recommend an item for a dirigible or for the Appropriations Committee on its own initiative to include it in the naval bill or for the Congress itself so to do in its wisdom. I do not know what Congress at that time will do, but it will be well within the power of the Appropriations Committee to bring out this item in the regular naval appropriation bill.

Mr. BEGG. Will the gentleman yield right there?

Mr. FRENCH. Yes.

Mr. BEGG. That bill which will be brought out in the next Congress, beginning in December, will be an appropriation bill for the year beginning July 1, 1928, and this authorization expires on the last day of June.

Mr. FRENCH. There can be no reason why the committee bringing in an item for this matter could not include in the appropriation a provision making it immediately available.

There is another thought that I must call your attention to now. The gentleman said that this is an initial appropriation of \$200,000. That is true; but it is the beginning of an appropriation of an immense sum, and this Congress must act as a board of directors of a private institution would act. What would you do if it were your business? You would consider the elements of expense, not only the immediate ones, but the ultimate.

What are these items? The cost of the craft. The limit of cost was fixed in the act last year for two dirigibles at \$8,000,000, but we were told that on two dirigibles we could save \$2,000,000 if we were to build them at a common time over what the cost would be if we built them one at a time. Possibly by another year or two we can be quite confident that we shall want to build two dirigibles. Surely with the assurance that \$1,000,000 can be saved on each by building them together a business man in his own affairs would await experiments that are on the way that might be helpful in determining his course.

My colleague from New York has pointed out the situation touching helium. Of course, he does not question the supply of helium, but the thought he had in mind is that the program must be worked out in regard to helium, and that program will cost millions upon millions of dollars by the time this ship shall have been completed.

Again, by the time the ship shall have been completed we must have a hangar on the Pacific coast. The present hangar at Lakehurst cost \$3,500,000. It will accommodate two airships. If you are going to make this appropriation to-day, then you must build another hangar upon the Pacific coast or else let this ship be constructed and be subjected to deterioration that will come through exposure in a degree several times more rapidly than if housed as it ought to be housed within a hangar. This you must do if you plan on using the ship on the Pacific where our major fleet is stationed.

Mr. BRITTEN. Will the gentleman yield for a brief question?

Mr. FRENCH. I will.

Mr. BRITTEN. If the Committee on Naval Affairs having in charge legislation brings in an authorization increasing the supply of helium, will the gentleman from New York [Mr. TABER] object and say it is not necessary because we have not the airships? [Laughter.]

Mr. FRENCH. The gentleman from New York is abundantly able to take care of himself, but for my part I will say to the gentleman that I am a friend of helium. I want it developed; I want it conserved; but I want to approach the question in a businesslike way instead of rushing into the proposition in a heedless manner.

Mr. BEGG. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BEGG. Will the hangar for this airship cost any less if we postpone the building of the ship than if we build it now?

Mr. FRENCH. No one knows. Why not await completion of our experimental metal ships; and again, why not await the result of experiments with the two British airships of 5,000,000 cubic feet, which will be completed in about 18 months?

The CHAIRMAN. The time of the gentleman has expired.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to proceed for eight minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

Mr. BRITTEN. I object.

Mr. BUTLER. Mr. Chairman, I ask for one minute of time.

Mr. BRITTEN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BRITTEN. How much time has been consumed in debate on this amendment?

The CHAIRMAN. Thirty minutes has been consumed by those in favor of the amendment and 22 by those opposed to it.

Mr. BRITTEN. Mr. Chairman, I withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho to proceed for eight minutes?

There was no objection.

Mr. FRENCH. Mr. Chairman, I thank the gentleman from Illinois for his kindness and I yield to the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. Mr. Chairman, did not my good friend reason with me as to what we should write into this bill about the limitation of time?

Mr. FRENCH. That is correct.

Mr. BUTLER. Did I not put in there 1928 because my friend suggested it.

Mr. FRENCH. Yes.

Mr. BUTLER. Did my friend ever sit in a long session of Congress that ran to September or October, and suppose this naval bill does not pass before that time? Remember, it is not the appropriation that keeps this thing going, but it is the hammer that is laid upon it and the work done. Therefore it is either now or never.

Mr. FRENCH. I think not.

Mr. BUTLER. Some people call it the other body, but when I refer to it I call it the Senate of the United States. [Laughter.] But suppose that branch of Congress should be sitting here with that naval appropriation bill next July, what is going to become of this limitation? I only ask my friend, because I put this in here because he wanted it; but suppose in the meantime we would be done guessing and at the construction of the ships.

Mr. FRENCH. I have already indicated my opinion about that.

Mr. VINSON of Georgia. The gentleman has stated that we have not any hangar in which we can construct this ship.

Mr. FRENCH. On the Pacific coast.

Mr. VINSON of Georgia. But we have on the Atlantic coast.

Mr. FRENCH. Yes; at Lakehurst.

Mr. VINSON of Georgia. Yes; of course. We are asking for only one dirigible, and we would not want any more than one hangar in which to construct it.

Mr. FRENCH. I thought of the need of the Pacific coast.

Mr. VINSON of Georgia. Does not the gentleman know that in all probability it would never be built in California, but where it is needed at Pearl Harbor?

Mr. FRENCH. Oh, I think it will be built in Ohio. [Laughter.]

Mr. BEGG. Mr. Chairman, I would like to ask the gentleman what information he has about that. I will say, however, that we can build them in Ohio, and the matter will be open to bids. Any place can build it that can bid for it.

Mr. BUTLER. We contemplated it will be built at Lakehurst.

Mr. FRENCH. And let me compliment our country and the State of Ohio, and the industry generally upon that wonderful institution in Ohio that could offer a bid upon this great proposition. I recognize it and I honor it, although it was in levity that I suggested that it will be built in Ohio.

Mr. OLIVER of Alabama. However, the information before our committee indicated that it would be built in New Jersey at the hangar owned by the Navy.

Mr. FRENCH. To be exact, yes; yet probably the Goodyear Co. in Ohio would be about the only company prepared to do the work, though doubtless the real building of the craft would occur at Lakehurst and not in Ohio.

Mr. Chairman, just one other word. As business men what would we do? An experiment of interesting character is going on across the seas, where two dirigibles are to be completed within about 18 months, we are told, of about the same size as this contemplated ship. Would we better wait and watch the ships the British are about to complete and see how those ships perform? My colleague on the committee [Mr. OLIVER] spoke of stepping up in the metal type; that is, after completing a ship of 250,000 cubic feet stepping up to one of 500,000 cubic feet, and from that to higher and higher sizes. You are being asked here to step up from a ship that we have of over 2,000,000 cubic feet capacity to 6,000,000 cubic feet capacity.

There will be no intermediary step. Several nations are experimenting with dirigibles of large size and I point out Britain's ships that are well along. Would a business man wait and see how these ships perform? I think he would. It would be sound judgment. Are you going to be as jealous of your country's money as you would be of your own in a similar enterprise?

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BRITTEN. Does the business man of the United States wait until England goes out and gets the business first and then try to take it away from her in foreign competition, or does he go out after it originally?

Mr. FRENCH. If the gentleman will follow the development of aircraft in this country he will find that the United States is away yonder and beyond all of the other nations of the world. I call the gentleman's attention to what was developed in the hearings in respect to the number of miles flown in commercial aviation by the different nations of the world and the United States in 1926. For the data touching the United States I direct attention to the published address of Mr. Archibald Black before the American Society of Civil Engineers not long ago.

Mr. BEGG. Is the gentleman talking about lighter-than-air craft aviation?

Mr. FRENCH. No; I am speaking of aviation generally.

Mr. BEGG. But this is lighter than air.

Mr. FRENCH. According to Mr. Black, during 1926 we flew 5,945,000 miles in commercial aviation as against 3,075,050 miles by the nation that nearest approaches us, and in mileage nearly one-half of the total miles flown by all the nations of Europe. More than that; we are not under a subsidy, while these other nations are. I ask you further to consider a statement made by the National Advisory Committee for Aeronautics in the last report that was submitted to the President of the United States November 20 last. The National Advisory Committee is composed of a number of the greatest authorities upon the question of aviation within our country. They say:

America leads the world in the private ownership and operation of aircraft, is at least abreast of other progressive nations in the technical development of aircraft for military purposes, and has the technical knowledge necessary to equal or excel the commercial airplanes of other nations. It is the opinion of the National Advisory Committee for Aeronautics that, without following the European policy of direct subsidies, American commercial aviation will surpass European developments when but not until the construction and operation of aircraft can meet the economic demands of lower cost and greater safety.

Gradual improvement along these lines would result from trial-and-error methods, but substantial and rapid progress will necessitate and depend mainly upon the continuous prosecution of scientific research on the fundamental problems of flight.

We are trying another experiment. I appeal to this Congress upon the basis of good business. I am for these dirigibles, but I am for them when I think we can get a hundred cents worth of value out of Uncle Sam's dollar that we vote to appropriate. That is the business way for this House to look at the proposition. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask for one minute in order to offer an amendment and to make a short statement.

The CHAIRMAN. There is a half minute remaining.

Mr. OLIVER of Alabama. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of Alabama: After the last word of the amendment insert "not to cost exceeding \$4,500,000, and, provided, that in any contract made for the construction of such airships the Government is to be allowed credit for any savings resulting from the installation of substitute gas cells for gold-beaters' skin."

Mr. BEGG. Mr. Chairman, I will accept the amendment.

Mr. OLIVER of Alabama. It is absolutely in the interest of economy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama to the amendment offered by the gentleman from Ohio.

Mr. O'CONNELL of New York. Mr. Chairman, may we have the original amendment again reported?

The CHAIRMAN. Without objection, the original amendment will be again reported.

There was no objection.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken, and the Chair announced that the ayes appeared to have it.

On a division (demanded by Mr. FRENCH) there were—ayes 132, noes 69.

So the amendment as amended was agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia: On page 41, line 22, strike out the figures "\$8,412,000" and insert in lieu thereof the figures "\$15,558,750."

Mr. VINSON of Georgia. Mr. Chairman, I will state to the Members of the House the object and purpose of that amendment. It is to carry out the heavier-than-air program that this House authorized at the last session of Congress. The maximum amount authorized in the bill that we passed last December provided for a total expenditure of \$16,223,750, and provided for the purchase of 313 airplanes. The Committee on Appropriations, in my judgment, without any justification whatsoever, on their own initiative, probably actuated by the same thought that prevailed in reference to the amendment we have just enacted, saw fit only to allow to the Navy 155 airplanes, when this House at the last session wrote a program providing for 313 airplanes for 1928, the maximum amount, to cost \$16,223,750. Now, I am satisfied that every Member of the House would hate to think that the Appropriations Committee have not appropriated as much for heavier-than-air as it appropriated last year. We wrote a five-year program for airplanes, and this committee, following the dictates of the Budget, without inquiry as to whether they needed more planes, regardless of what the House had said a year ago, says, "in our judgment you are only entitled to 155 airplanes, and that is all we are going to give you," and yet they are appropriating less money this year for aviation with two great airplane carriers going into commission than they appropriated last year. Now, does this House want to scrap this year a program which over 200 Members as against 40 voted last year? Let us see what the figures are and see if we can not make a case

against the Appropriations Committee that has scrapped the five-year program. Now, here is what we appropriated last year.

I will ask the gentleman from Idaho [Mr. FRENCH] to correct me if I am in error. They appropriated last year for aviation for the Navy, for the whole thing, for every phase of it, including contract authorizations, \$22,365,288, and this bill carries only \$20,455,000.

Since the naval appropriation bill for 1927 was approved, a bill authorizing a five-year aircraft-building program for the Navy has been passed by Congress. This bill represents very largely the result of the deliberations of the President's aircraft board and of the select committee of inquiry into operations of the United States air services, and was brought out by the Committee on Naval Affairs after prolonged study and hearings on all phases of the Navy's aviation needs. It was designed to increase the Air Service to meet the peacetime requirements of the fleet; to build up the aviation branch of the Navy over a five-year period to 1,000 useful airplanes.

The 1927 appropriation bill was approved before this measure was passed, and therefore carried no funds for the enlarged program. Over six months have now elapsed, and no deficiency bill has been brought in to permit us to make a start during the current year. And we now have before us the naval appropriation bill for another fiscal year—for 1928—where we might reasonably expect to find substantial provision for the development which Congress has approved. But instead we still find the program unheeded; we find in the bill before us approximately \$2,000,000 less for naval aviation for 1928 than was actually appropriated for 1927, before the five-year building program was approved.

For 1927 we have available for naval aviation \$22,365,288, including a contract authorization of \$4,100,000. The bill here before us, including a contract authorization of \$5,000,000, carries a total of \$20,455,000, or \$1,910,288 less than was appropriated for 1927.

This reduction is shown as follows:

	1927	1928
Aviation, Navy.....	\$19,065,288	\$19,790,000
Pay prior year's contract authorization.....	4,100,000	4,100,000
Net appropriation for the year.....	14,965,288	15,690,000
Planes for reserves, heretofore carried under the Bureau of Navigation.....		235,000
Net for Naval Aviation.....	14,965,288	15,455,000
Add new contract authorization.....	4,100,000	5,000,000
Total "Aviation, Navy".....	19,065,288	20,455,000
Increase of the Navy.....	3,300,000	
Total for naval aviation.....	22,365,288	20,455,000
Reduction for 1928.....	1,910,288	

For the item of new airplanes, with which the program more specifically deals, we had for 1927, \$12,362,500 (\$9,062,500 under "Aviation, Navy," and \$3,300,000 under "Increase of the Navy"), including a contract authorization of \$4,100,000. The bill for 1928, now before the Houses, carries for this purpose but \$9,077,000, including a contract authorization of \$5,000,000, a total of \$3,285,500 less than was appropriated for 1927.

This reduction is shown as follows:

For new airplanes only

	1927	1928
Aviation, Navy.....	\$9,062,500	\$8,412,000
Pay prior year's contract authorization.....	4,100,000	4,100,000
Net for new planes for the year.....	4,962,500	4,312,000
Planes for reserves, heretofore carried under the Bureau of Navigation.....		235,000
Net for naval aviation.....	4,962,500	4,077,000
Add new contract authorization.....	4,100,000	5,000,000
Total "Aviation, Navy".....	9,062,500	9,077,000
Increase of the Navy.....	3,300,000	
Total new planes for the Navy.....	12,362,500	9,077,000
Reduction for 1928.....	3,285,500	

With these reductions in the bill now before us—a reduction of \$3,285,500 for new airplanes and a net total reduction for

naval aviation for all purposes of \$1,910,288—we not only are not providing for the program but we are bringing about an actual reduction in the number of planes the Navy has on hand and with the fleet.

Now, what happens? The Bureau of Aeronautics asked the board in the Navy Department to grant to them \$16,223,750, what Congress had said would be the amount necessary to purchase 313 airplanes. That request went before the board, and the board said to aviation, "We can not allow you that amount." For one Member, I thought there was a closer relation between the board and aviation than there appears to have been in this instance. Then the Budget comes along and says, "We can not even give you the amount that the Navy Department recommends."

Now, bear this in mind: The total amount of money asked by the Navy Department from the Budget was approximately \$330,000,000.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. VINSON of Georgia. May I have five minutes more, please?

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. The Budget said to the Navy Department, "You must reduce your total estimate to approximately \$315,000,000." What bureau was reduced? The Bureau of Aeronautics was reduced in the neighborhood of 40 per cent. Even after that reduction the Budget comes along and says, "You are entitled to only 155 airplanes." Now, here is the testimony.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman give way for a brief question there?

Mr. VINSON of Georgia. Yes; with pleasure.

Mr. WAINWRIGHT. What was the requirement for the first increment of 1928?

Mr. VINSON of Georgia. Three hundred and thirteen new airplanes. This House last year said we were entitled to a thousand in five years. In following out the ratio that the committee has given, you will have only 499 in five years. We wrote a program for a thousand airplanes last year. In less than nine months we write a new program and provide for only 499, when the complements of the ships require 505.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. McKEOWN. Did not the gentleman make the argument at the last session on the last bill that future Congresses could use their own judgment?

Mr. VINSON of Georgia. That is correct; and that is what I am trying to convince the committee of right now, that the Appropriations Committee has not used the right judgment.

Mr. McKEOWN. What was the total amount?

Mr. VINSON of Georgia. The amount or number authorized by Congress was 313 for 1928.

Mr. McKEOWN. You would have to increase the personnel to carry them, would you not?

Mr. VINSON of Georgia. No; you are not increasing the personnel at all.

Mr. McKEOWN. How would you take care of them?

Mr. VINSON of Georgia. What are we buying airplanes for? You are buying some of them to be used with the fleet at sea. For the two airplane carriers it will require 231 airplanes, whereas this committee would give only 155 new planes for the whole Navy. The complement of the ships is 505, and following the ratio of 155 per year you will only get 499 airplanes in five years.

Mr. McCLINTIC. Mr. Chairman, will the gentleman yield there?

Mr. VINSON of Georgia. Yes.

Mr. McCLINTIC. Do I understand the gentleman to say that the board of the Navy reduced the amount recommended to 40 per cent?

Mr. VINSON of Georgia. It was testified, as the gentleman will recall, before the Committee on Naval Affairs that when the Bureau of Aeronautics asked for \$16,223,750, as permitted to ask for by Congress, the Bureau of the Budget said, "The Navy Department can only receive approximately \$330,000,000 for the whole Navy"; and then the council in the Navy Department said to aviation, "You must reduce your amount 40 per cent," and the statement was made that it was reduced more than any other bureau in the Navy Department. I will ask the gentleman from Pennsylvania [Mr. BUTLER] is that correct?

Mr. BUTLER. Oh, yes. They cut it to pieces.

Mr. McCLINTIC. Whose fault is it?

Mr. VINSON of Georgia. I am asking the gentleman right now to help correct this fault.

Mr. McCLINTIC. I am trying to find out whose fault it was that this recommendation was reduced. I would like the gentleman to answer.

Mr. VINSON of Georgia. Let the gentleman determine whose fault it was.

Mr. McCLINTIC. Perhaps it was the fault both of the board and the Budget.

Mr. VINSON of Georgia. Both of them were perhaps at fault.

Mr. VINSON of Kentucky. What kind or types of aircraft can they procure?

Mr. VINSON of Georgia. The only types they can procure are the minor types. The great bombing planes necessary to the fleet can not be purchased with the money allowed.

When these gentlemen appear before the Committee on Appropriations they are precluded by the very law that Congress has passed from saying they need more airplanes unless asked by the committee.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. VINSON of Georgia. Mr. Chairman, I ask for 10 minutes more. I ask to be recognized for 10 minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for 10 minutes longer. Is there objection?

There was no objection.

Mr. VINSON of Georgia. Now, what happens? The gentleman from Idaho [Mr. FRENCH] and the gentleman from New York [Mr. TABER] and the distinguished gentleman from Kansas [Mr. AYRES]—did they inquire into the needs? Here is the testimony: The Budget had sent in an estimate for 155 planes. Did they ask Admiral Moffett or the distinguished gentleman who is Assistant Secretary of the Navy what was their need? Of course not. They merely told them to make a statement. The law prohibits them from saying that they needed more money. They can not open their mouths.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. AYRES. Does the gentleman disapprove of the fact that that is in the law?

Mr. VINSON of Georgia. Did the gentleman inquire whether they needed 155 or 313? No. You take your cue from the Bureau of the Budget, and I challenge the gentleman to controvert what I say.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. OLIVER of Alabama. The gentleman has not read all that transpired before the committee. I wish to say to the gentleman now that the subcommittee having charge of appropriations for the Navy never permits any official of the Navy to come before it without asking questions that call not only for the figures that the Budget has recommended but what the department has recommended to the Budget. If you will examine Admiral Moffett's statement, you will find that I asked him the question whether or not he was being denied anything that might seriously impair the service by simply deferring appropriations to another year.

Mr. VINSON of Georgia. The RECORD is the best evidence of the controversy. I repeat my statement, that as to heavier-than-air craft not a line was asked. Now, the gentleman from Alabama did inquire about the question of dirigibles and did ask them to make out a case, and you saw him make a fight here a moment ago for the dirigible, but when they were discussing heavier-than-air craft not one question was asked, but the Assistant Secretary of the Navy, Mr. Warner, was asked to make his statement and Admiral Moffett was asked to make his statement.

Gentlemen, this is highly important. You have got to have aviation with our fleet. What is this committee doing? It is refusing to appropriate for new construction within \$3,300,000 of as much as was appropriated last year. Last year they appropriated for new construction \$12,362,500, while this year for new construction they only appropriate \$9,077,000, including the contract authorization.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. WAINWRIGHT. If this amount is increased as proposed in the gentleman's amendment, will we have enough money to build the first increment of the five-year program?

Mr. VINSON of Georgia. Yes; that is the point. If my amendment is adopted, then Congress goes on record as saying we are going to live up to our aviation program; we will have 313 airplanes; so that at the end of five years we will have 1,000.

Now, listen to this. What effect will this have upon the industry this year to build only 155 airplanes and next year build 418? This will produce a slump of the industry in 1928 and bring on inflated orders for the remaining years of the program. It would seem that this subcommittee does not intend to carry out the mandate of Congress with reference to our five-year program. They have set up a program to be known as the French-Ayres program, instead of the House of Representatives program.

Mr. BUTLER. Will my friend yield?

Mr. VINSON of Georgia. Yes.

Mr. BUTLER. Is there any doubt about our supremacy in this style of flying through the air? Did not the gentleman from Idaho concede that there is no experimentation whatever in these ships, and if that is so why should we refuse to build up this service?

Mr. VINSON of Georgia. Yes. The gentleman is correct. Is it the intention of Congress to scrap our air program in a few days after we have inaugurated it? I will not believe it until the Members of this House vote to scrap it.

Mr. CONNERY. Will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. CONNERY. Are these commercial airplanes or are they built by private concerns?

Mr. VINSON of Georgia. The Government is not interested in building any aviation at all.

Mr. CONNERY. Then the gentleman subscribes to my theory that we need to develop commercial aviation in time of peace?

Mr. VINSON of Georgia. Yes.

Mr. CONNERY. If we had had a merchant marine at the time we entered the war it would not have been necessary to have England carry our troops across the ocean and the same thing will apply in this instance.

Mr. VINSON of Georgia. Yes. Let me say that 155 new airplanes are all that are allowed for, costing \$9,077,000. Fifty airplanes were destroyed at Pensacola by the hurricane, and yet not one dollar is carried in this bill to replace those planes. Where did they get the planes with which to carry on the training at Pensacola? They had to take the planes from the battle fleet.

Mr. TABER. Will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. TABER. Does not the gentleman know that the appropriation to replace the planes destroyed at Pensacola was carried in the deficiency estimate?

Mr. VINSON of Georgia. Only 155 new airplanes are carried and out of the 155 the Navy must meet every requirement of the fleet, whether it is to replace those planes destroyed at Pensacola or to train the personnel in aviation. Now, gentlemen, you must have 231 planes with your carriers and they have only appropriated for 156. These carriers will cost \$40,000,000 apiece and are to go into commission about the first day of August. When they go into commission they will lack 75 airplanes of having enough to meet the requirements of the two great carriers. Now, what is the use of spending \$40,000,000 to put upon the sea the greatest ships of their kind in the world, unless you put the weapon there with which to train the boys? [Applause.]

Now, another thing. This committee is doing something that is not justified. The Navy Department says the attrition or wastage should be one-third. One-third of every airplane goes out of commission, and if you had 1,000 airplanes you would have to buy one-third year by year to replace them, but this committee, without a scintilla of evidence to support them, and with evidence overwhelming to the contrary, says, "We will reduce the attrition from one-third to two-ninths in order to keep you from buying more airplanes." As a result of that, airplanes which are not serviceable will have to be used by the service. [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. FRENCH. Mr. Chairman, I assume the amendment was offered in seriousness by the gentleman from Georgia. It adds over \$7,000,000 to an item that originally was \$8,400,000. It increases the item from \$8,412,000 to \$15,558,750.

What the gentleman has said is so fresh in the minds of the Members of this Chamber that I shall proceed immediately

by way of reply to indicate the actions of your subcommittee in meeting the proposition of airplanes for next year.

First, in the matter of total appropriations, the gentleman's figures are not quite right. For the current year, aside from the aircraft-carrier planes for which we had carried \$3,300,000 in increase of the Navy, we carried \$23,356,788, including \$4,100,000 to pay for contract obligations that would fall due this year. For next year we are carrying in the bill \$24,981,000, including \$5,000,000 for contract obligations that will come due during the year. In other words, we are appropriating somewhat more than we appropriated for the current year, aside from the amount carried for planes for the airplane carriers.

Now, what about the planes for the carriers? The second deficiency act of 1925, approved March 4 of that year, carried an initial appropriation of \$3,000,000 for the purpose of purchasing airplanes for the carriers. This was the amount of the estimate. Admiral Moffett told our committee that the complement of planes for the carriers would cost \$5,917,500, based on an allowance of 231 planes. This included a 50 per cent reserve. In the naval act approved May 21, 1926, the further sum of \$3,300,000 was appropriated for planes for these purposes.

You will notice that we carried in that act nearly \$400,000 more than the original estimates that came from the Bureau of Aeronautics to our committee for the entire program that they had in mind. The extra amount asked for by the department, as we were advised by Admiral Moffett, was on account of the fact that they could not award all the contract at one time, but acquired part of the planes under one contract and other of the planes under a subsequent contract.

This year we were told that \$6,300,000 heretofore appropriated would suffice to meet the situation notwithstanding that last year we were told that an additional \$525,000 would need to be asked for.

The gentleman has recited with a great deal of accuracy something of the program on account of the 1,000 planes that we provided for, to be acquired over a period of five years.

Before our committee Admiral Moffett explained how that program would work. He stated, as he referred to the appropriation that we are carrying in the bill, the program he had in view under the appropriation.

This—

Said he—

is to be accomplished over a five-year period replacing the wastage and adding certain new planes each year until the 1,000-plane strength has been reached.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. FRENCH. Now, what was the basis of the estimate of the legislative committee a year ago? I have before me a statement of what Admiral Moffett told that committee were the calculations that they made to determine wastage and replacement. When the department representatives went before the legislative committee they estimated that there would be an annual wastage of about 33½ per cent.

If anything occurs to change that wastage, manifestly you must take that into account in considering appropriations to take care of wastage in the future. Something did occur to change the situation. What was it? Efficiency of the personnel, efficiency of the planes that were being used, and possibly other factors were brought to the attention of the committee by Admiral Moffett, and he told us in his testimony that instead of a wastage of 33½ per cent, for next year wastage would be brought down to 23 per cent, or a replacement of about two-ninths would occur instead of one-third. The result was he was able to come to our committee and ask not for 235 planes but to ask for about 155; and on that basis he was able to take care of all the replacement and to add the amount that ought to be added for 1928 in the replacement program. The result is that we are carrying in this bill that which we ought to add to take care of the situation for next year.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. I will yield.

Mr. VINSON of Georgia. Is it not a fact that you are carrying \$3,300,000 less, plus \$235,000 that you have charged up

from the Bureau of Navigation to the Bureau of Aeronautics, making a total of \$3,535,000 less than last year?

Mr. FRENCH. I endeavored to answer that a moment ago. I told the gentleman I had already eliminated what we had appropriated a year ago for increase of the Navy for the airplane carriers; that is, \$3,300,000.

Mr. VINSON of Georgia. If the gentleman will permit there, does not the gentleman know that the airplane carriers require 230 airplanes?

Mr. FRENCH. That is true.

Mr. VINSON of Georgia. And you have only appropriated for 155.

Mr. FRENCH. Yes; that is true.

Mr. VINSON of Georgia. Then you lack 75 of filling up your carriers, and the gentleman's committee is not appropriating one dollar in this bill for the carriers.

Mr. FRENCH. The gentleman is correct in part and partly wrong.

Mr. VINSON of Georgia. Then let me ask you this question: If you take the 75 from the 155, then the fleet will not have enough; in other words, either the carriers or your fleet will not have enough airplanes?

Mr. FRENCH. We have already appropriated more than the department estimated for the carriers, but the department has not been able to purchase as many planes as it contemplated.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. FRENCH. I will be glad to yield.

Mr. OLIVER of Alabama. On page 504 this question was asked by me of Admiral Moffett:

Mr. OLIVER. Have you sufficient planes to now meet the allotments made to the ships of the fleet prepared for carrying planes for operation from their decks?

Admiral MOFFETT. We have, as far as battleships and cruisers are concerned. We have not all the planes for the carriers, but we will have them; they are appropriated for.

That was his statement.

Mr. FRENCH. That is correct.

Mr. OLIVER of Alabama. In another question, the committee was so anxious to find whether all the matériel needs of the Navy were provided for, that we asked him the question—"Are you deferring anything that is important in aviation in the hope that next year you will receive increased appropriation," and you recall his answer to that question. I asked him the question.

Mr. FRENCH. The gentleman is correct.

Mr. OLIVER of Alabama. We also brought out the fact that if we should provide him with more planes which he was not asking for because he said that if we appropriated for them we did not have enough hangars in which to protect them and that one reason for the loss at Pensacola was that we did not have sufficient hangars to house the planes.

Mr. FRENCH. Yes; they were scattered over an area that made it impossible to protect them.

Mr. OLIVER of Alabama. Was it not also asked him whether he was taking steps to ask for the necessary funds to provide hangars for planes that we would have during 1927, and it afterwards was found that he would have to get authorizations for building new hangars?

Mr. FRENCH. All those factors had to be taken into account by the subcommittee in shaping appropriation estimates for planes for next year.

Mr. BUTLER. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BUTLER. Does the gentleman feel in the spirit of a little compromise here?

Mr. FRENCH. Not at all. I feel that we have gone to the limit that we ought to go in this appropriation.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. Briefly.

Mr. VINSON of Georgia. The gentleman does not intend to convey the idea that the carriers have all the airplanes that it is necessary for them to have?

Mr. FRENCH. Of all the reserves; no.

Mr. VINSON of Georgia. Is it the intention of the committee ever to fill it up?

Mr. FRENCH. I would say that we have covered everything except the engines, and I say further that on the program for the five-year period we expect to take care of that situation through the regular estimates that will be made for all the planes that will be needed for carriers as well as other parts of the service.

Mr. VINSON of Georgia. Is it your intention to endeavor to follow that course for the thousand airplanes in the five years.

I think the committee is entitled to know the future policy of the committee.

Mr. FRENCH. The gentleman is asking a question that it is impossible to answer. Between the time a year ago when the general bill was up authorizing the five-year program and the present, attrition, for instance, has been reduced from 33½ per cent to about 23 per cent. Questions of that kind can not be anticipated.

We are now shaping a bill for next year. At the end of another year the department will come before us with estimates and the committee will have before it all the factors that then must be considered. We are now taking the only step that we ought to take in the five-year program. The next step will be when we approach the next bill. I wish I could be more definite, but it is impossible.

Mr. VINSON of Georgia. The gentleman says the reason why he does not appropriate any more is on account of the attrition. Let me call the gentleman's attention to the fact that in 1926 the attrition was 70 per cent, and yet the gentleman is talking about 23 per cent. In 1926 during the fiscal year the wastage amounted to 429 planes and 121 planes were damaged beyond repair. Now, the gentleman knows that over a period of time the attrition has been running around 30 per cent and not around 23 per cent.

Mr. FRENCH. I was watching for a smile on the face of the gentleman from Georgia when he spoke about 70 per cent attrition. Under the five-year program the department prior to the present fiscal year, or on about June 15 last, arbitrarily classified some 330 planes as obsolete or obsolescent. The planes that the department classified as obsolete or obsolescent upon the day before were on record as efficient for service. This large classification was made in order to bring the figures of real up-to-date planes down to the point where they would be regarded as wholly efficient and of a type suitable under the five-year program. I will ask the gentleman if that is not a true and correct statement?

Mr. VINSON of Georgia. I think the gentleman is correct, but was not that the wise policy to get rid of these flying coffins?

Mr. FRENCH. Doubtless it was.

The CHAIRMAN. The time of the gentleman from Idaho has again expired.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, I am not going to detain you very long, but you ought to be patient for a few minutes at least while we are discussing the expenditure of \$7,000,000 of the taxpayers' money. I want to say this. I stood on this floor when you had up the five-year naval program and opposed its passage. When you passed the five-year naval program I told you then that the argument would be, when at any time in the future that the Congress might hesitate to appropriate the amount called for, that you would contend that the Committee on Appropriations was delinquent and that it was not doing its full duty if it did not appropriate the money. That is the thing you are doing here now. This Army and Navy business is just an edging up on one side and then on the other. One of them says, "You have let the Navy have that and you have to let us have this," and when the Army gets something then the Navy says, "You have to let us have an equal amount." Let us be frank about it. Here is the situation: The board does not ask for this amount of appropriation, and at that I am amazed. Here is the real issue in this fight. The Naval Affairs Committee wants to let the Budget Bureau know that if they do not allow them what they ask for they are going to come into the House and whip the bureau every time. The rest of us have to abide by the Budget. The Naval Affairs Committee wants the Budget to understand that every time they do not give them what they ask for they propose to come into the House and override them.

Now, here is something else that I want to tell you. Take your carriers. I was opposed to them, but, of course, I could not get anywhere. I told you when you got your carriers that the next thing would be that you would want some airplanes to put on the carriers, and so you did, and you come in here now with your application for airplanes. [Applause and laughter.]

Mr. BACON. What are the carriers good for without the airplanes?

Mr. McKEOWN. The next thing is the boats that you need to replenish those you had to junk—fine ships that were on the ways, that somebody blundered about destroying. You put

some of them into airplane carriers, and now you want to cover them with airplanes.

My good friend from Georgia, Mr. VINSON, one of the best-informed men in the House on naval affairs, is in here complaining because they do not build the full five-year program in this one year just after he got his bill through. We are not kept from building the whole thing in five years. We can build it all next year if we deem it wise.

Mr. VINSON of Georgia. What year would the gentleman propose to build them in? If the gentleman runs true to form, he never will complete it.

Mr. McKEOWN. If the present policies that are being pursued with foreign countries continue as they are going now, you will need to build two or three times as many airplanes as the gentleman wants.

Mr. UPSHAW. Then let us begin right now.

Mr. VINSON of Georgia. And is not that a good reason why the gentleman should be speaking for it instead of against it?

Mr. McKEOWN. Let me say that a lot of this war-scare talk is going on here in this House, and this effort to increase armament will breed you more trouble than if you will go along and follow the Budget and its recommendations and take care of the taxpayers. Members keep on talking about increased armament, and yet we are at the same time told that we are going to have a disarmament conference in 1931 to disarm. I suppose you are trying to get a Navy big enough by that time so that you can sink half of it. Put such amendments on every year and you will have such a large Navy that you will have to sink half of it by 1931 if you keep on building.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I rise in opposition to the amendment. I am very fond of my friend from Oklahoma [Mr. McKEOWN], and I do not know when I was so much pained as I was just now when he announced his retirement from public life. I presume he will retire, because he announced that we ought to leave this matter to the Budget, so why put him to the hardship of leaving the delightful short-grass country of Oklahoma and coming up here each year to vote on these appropriations?

Mr. McKEOWN. Let me suggest one thing, that if you do not stay by the Budget a whole lot of us are liable to be retired. [Laughter and applause.]

Mr. WINGO. Mr. Chairman, that is a very pertinent suggestion. In other words, it calls attention to the very thing that I protest against at every opportunity. That represents the appeal that is constantly being made. I am not afraid of the Bolshevik on the street corner, because he is not going to overthrow the country, but I do begin to fear for our continued existence when newspapers morning and evening, business men day in and day out, and even Members of Congress say that the Congress has fallen to such a low estate that if Members dare to question the edicts of the Budget Bureau or any other bureau they will be driven from public life. Mr. Chairman, that is an appeal to political cowardice, and it does not appeal to me. [Applause.]

Shall I vote contrary to my judgment on the question of national defense because, forsooth, my neighbor from the short-grass country of Oklahoma says that if I do not do it—if I do not vote according to the Budget, if I do not take, not the dictates of my conscience, not what reason tells me is necessary from a standpoint of national defense, but what the "Lords of the Budget" tell me, then I must retire to private life?

What an argument for statesmen to make in seriousness! Gentlemen, this question involves something more than money; it involves something more than whether you will stand by the committee. That used to be the cry. You have abandoned that, and now it is, "Stand by the Budget." It might have been a bad policy that you entered upon, but you decided it, did you not? You decided upon a five-year program, which was the sensible thing to do, not by piecemeal.

Mr. BUTLER. And by 8 votes to 1.

Mr. WINGO. This House did it after full debate. Which is the mandate that is to control? Is it the mandate of that body which the Constitution says shall create and maintain a Navy, or the mandate of the bureau chief, however delightful may be his personality, however patriotic his purposes, however sincere his judgment? Is it his judgment or is it the judgment of the constitutional body charged with the duty as well as a responsibility and the right under the Constitution that

shall control in the determination of what we shall do for national defense?

I am proud of and admire the chairman of the subcommittee. No man has demonstrated as much ability and agility in handling himself on the floor; but you have listened to him and the gentleman from Georgia and the gentleman from Alabama, and I have taken pains to read the hearings, and, gentlemen, if you do this you are left in this condition, that they are doing what the gentleman from Oklahoma boasts he is trying to do—to defeat the program that was enacted by the Congress by an 8 to 1 vote. Gentlemen, he actually takes the position that you are doing what he predicted, that when you get the airplane carriers you would then need airplanes to put on them, and that is his statesmanlike argument. I have not the slightest doubt if a member of his family should ask him to buy some gas for the family car my friend from Oklahoma would exclaim, "I was afraid when I got that infernal machine that you would want some gas." His logic is: Have plenty of soldiers but do not put guns in their hands; have carriers but do not get the airplanes. If the airplanes deteriorate and become dangerous under his theory, he would sacrifice life rather than spend money. You and I know that the planes deteriorate, and we should not adopt a penurious policy of not buying first-class airplanes for the young men whom we are training.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The question was taken; and there were—ayes 65, noes 80.

So the amendment was rejected.

Mr. VINSON of Georgia. Mr. Chairman, I desire to offer another amendment, and I would like to ask the gentleman from Idaho if it is his purpose at this time to rise?

The CHAIRMAN. The Clerk will report the amendment.

Amendment offered by Mr. VINSON of Georgia: On page 41, line 22, strike out the figures "\$8,412,000" and insert in lieu thereof the figures "\$12,747,000."

Mr. VINSON of Georgia. Mr. Chairman, I will not take but a few moments on account of the lateness of the hour. The object and purpose of that amendment is this: Merely to provide 75 airplanes for the carriers now going to be put into commission about July or August. They cost \$40,000,000, and you need 75 more planes to go on the carriers. Now this amendment is an increase of \$4,335,000. The committee this year has reduced the appropriation \$3,330,000 from last year's appropriation for aviation. Now, I think this House ought to see that when these ships go into commission they will have the planes that carriers can accommodate and the planes that the carriers will have to have to carry what they are built for and for which we have spent \$40,000,000.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SALARIES, BUREAU OF AERONAUTICS

Salaries, Navy Department: For personal services in the District of Columbia, in accordance with the classification act of 1923, \$200,000.

Mr. FRENCH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 15641, had come to no resolution thereon.

The SPEAKER. The bill H. R. 9265, a bill to authorize the construction of cottages at the National Home for Disabled Volunteer Soldiers at Marion, was referred to the Committee on Military Affairs, and both chairmen have agreed to a change of reference to the Committee on Public Buildings and Grounds, and without objection that reference will be made.

There was no objection.

COMPARATIVE NAVAL DATA

Mr. BACON. Mr. Speaker, I ask unanimous consent to place in the Appendix of the RECORD certain tables showing the different rating between the navies of the world, which I think will be valuable for the debate to-morrow.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BACON. Mr. Speaker, under leave granted to extend my remarks I insert the following:

COMPARATIVE NAVAL DATA FOR TREATY NAVIES

(Correct as of October 1, 1926)

Comparison based on ratio of tonnage for capital ships established by Washington Conference Treaties for Limitation of Naval Armament.

TABLE I.—Personnel (unlimited)

Power	Regular establishment (including those of Dominions) ¹		Regular establishment on basis of 5-5-3-1.67-1.67 ratio with British Empire		Increment necessary to attain the 5-5-3-1.67-1.67 in regular establishment		Actual reserve personnel	
	Officers	Men	Officers	Men	Officers	Men	Officers	Men
United States.....	8,531	82,910	9,302	95,835	771	12,925	5,176	27,026
British Empire.....	9,302	95,835	9,302	95,835	None	None	10,798	65,342
Japanese Empire.....	7,703	68,338	5,581	57,501	None	None	3,464	40,388
France.....	3,570	53,000	3,107	32,009	None	None	9,172	154,000
Italy.....	2,710	40,124	3,107	32,009	397	None	4,729	60,000

	United States	British Empire	Japanese Empire	France	Italy
Actual ratios:					
Officers, regular establishment.....	4.58	5.00	4.14	1.91	1.46
Enlisted men.....	4.33	5.00	3.56	2.76	2.09
Ratio applied to capital ships by treaty.....	5.00	5.00	3.00	1.67	1.67

¹ Above figures do not include Marine Corps personnel. The United States has 1,190 officers and 17,877 men in the Marine Corps of which 64 officers and 2,177 men serve afloat. The British Empire has 423 officers and 10,350 men in the royal marines, of whom 157 officers and 5,085 enlisted men serve afloat. Japan has no force corresponding to the Marine Corps of the United States and the British Empire.

² Includes 1,535 retired officers of all ages and 335 retired enlisted men under 55 years of age.

³ Includes an estimated total of 306 officers and 2,795 men of royal air force performing naval aviation duties. The royal air force is a separate department, ranking with the army and the navy, and had 3,447 officers including 103 cadets, 28,560 airmen, and 9,804 civilians and natives on August 31, 1926. Since in the United States, Japan, and France naval aviation personnel forms an integral part of the navy, it seems only fair that the personnel of the British air force performing duties in connection with naval aviation should be classed in this comparison. Includes 4,154 merchant marine personnel paid by naval appropriations manning auxiliaries such as tankers, yard craft, hospital ships, fleet service, tugs, etc., which are manned in the United States and other navies by regular officers and enlisted personnel, except that an average of 100 civilians are employed under the United States Navy Department for yard craft, ferry service, barges, and lighters.

⁴ Does not include 188 cadets undergoing training in battleships and battle cruisers. Does include 125 naval constructors and 75 civil engineers. Naval constructors and civil engineers do not hold commissions in the British Navy, but perform duties similar to those of naval constructors and civil engineers, United States Navy.

⁵ Includes 7,481 retired officers and pensioners of all ages and 18,502 retired enlisted men under 55 years of age.

⁶ Figures as of July 1, 1926. There were 675 officers and 6,100 men in Japanese naval aviation on September 1, 1926.

⁷ French total includes 218 officers and 3,650 men in naval aviation.

TABLE II.—Capital ships (limited)

Power	Built		Building		Tonnage to be arrived at in 1941	True ratio in 1941
	Number	Tons	Number	Tons		
United States.....	18	525,850	None	None	525,000	5.00
British Empire.....	122	580,450	12	70,000	525,000	5.00
Japanese Empire.....	10	301,320	None	None	315,000	3.00
France.....	9	194,544	None	None	175,000	1.67
Italy.....	7	133,670	None	None	175,000	1.67

¹ Nelson and Rodney building to replace Ajax, Centurion, King George V, and Thunderer. When this replacement is effected capital ship tonnage for British Empire will be (20 ships) 558,950 tons.

British Empire and Japanese Empire retain four battle cruisers each, United States retaining none. When Nelson and Rodney are completed, the following status will obtain:

	United States	British Empire	Japanese Empire	France	Italy
Capital ships:					
Armed with 13.4-inch guns or heavier.....	14	20	10	3	0
Armed with 12-inch guns.....	4	0	0	6	7

Following the Washington Conference Treaties for Limitation of Naval Armament the following capital ships were scrapped:

TABLE III.—Scrapped under treaty terms

Power	Ships completed		Ships building		Total	
	Number	Tons	Number	Tons	Number	Tons
United States.....	19	289,580	13	552,800	32	842,380
British Empire.....	22	447,750	None	None	22	447,750
Japanese Empire.....	12	192,751	4	161,958	16	354,709
France.....	None	None	None	None	None	None
Italy.....	None	None	None	None	None	None

¹ Includes Oregon and Illinois permitted to be retained for noncombatant purposes.

² Includes Lexington and Saratoga which are being completed as aircraft carriers.

³ Includes Collingwood and Colossus permitted to be retained for noncombatant purposes.

⁴ Includes Asahi and Shikishima permitted to be retained for noncombatant purposes.

TABLE IV.—Aircraft carriers (limited)

Power	Built ¹		Building		Total		Totals of non-experimental carriers		Total tonnage allowed by treaty	Increment necessary to attain allowance (tons) ²
	Number	Tons	Number	Tons	Number	Tons	Number	Tons		
United States.....	112	700	266,000	3	78,700	266,000	135,000	69,000		
British Empire.....	467	290	237,200	6	104,490	356,300	135,000	78,700		
Japanese Empire.....	1	9,500	253,800	3	63,300	253,800	81,000	27,200		
France.....	None	None	121,160	1	21,160	121,160	60,000	38,840		
Italy.....	None	None	None	None	None	None	60,000	60,000		

	United States	British Empire	Japanese Empire	France	Italy
Actual ratio, aircraft carriers built and building, (tons).....	2.91	3.87	2.35	0.78	0.00
Allowed ratio, aircraft carriers (tons).....	5.00	5.00	3.00	2.22	2.22

¹ All experimental with exception of British carrier Furious of 19,100 tons, completed September, 1925. Under terms of treaty, experimental carriers may be replaced at any time, provided total carrier tonnage is not exceeded.

² Maximum individual allowed tonnage of aircraft carriers is 27,000 tons. Most powers favor smaller carriers than this. General board of United States Navy recommended in 1925 immediate construction of one 23,000 ton carrier.

³ Lexington and Saratoga, which were building as battle cruisers, are being completed as aircraft carriers.

⁴ Courageous and Glorious. Does not include one seaplane carrier building in Australia.

⁵ Akagi formerly building as battle cruiser; Kaga, formerly building as battleship.

⁶ Bearn, ex-battleship.

TABLE V.—Modern cruisers (unlimited)

[5-inch to 8-inch guns; 3,000-10,000 tons; 27 knots plus]

Power	Built		Building		Authorized and appropriated for	
	Number	Tons	Number	Tons	Number	Tons
United States.....	10	75,000	2	20,000	3	30,000
British Empire.....	40	194,290	11	110,000	3	28,000
Japanese Empire.....	19	102,005	6	54,200	None	None
France.....	3	16,731	6	53,619	1	10,000
Italy.....	8	30,784	2	20,000	None	None

Power	Total		Tonnage on basis of 5-5-3-1.67-1.67	To attain 5-5-3-1.67-1.67 ratio with Britain	
	Number	Tons		Number ¹	Tons
United States.....	15	125,000	332,290	21	207,290
British Empire.....	54	332,290	332,290	None	None
Japanese Empire.....	25	156,205	199,374	4	43,169
France.....	10	80,350	110,985	3	30,635
Italy.....	10	50,784	110,985	6	60,201

¹ Number obtained by dividing tonnage by 10,000 tons, the maximum size cruiser allowed by treaty.

² Does not include one mine layer, first line, of 6,740 tons with modern cruiser characteristics.

³ Does not include one mine layer, first line, of 4,000 tons with modern cruiser characteristics.

TABLE V.—Modern cruisers (unlimited)—Continued

	United States	British Empire	Japanese Empire	France	Italy
Actual ratios, modern cruisers:					
Tonnage.....	1.88	5.00	2.35	1.20	0.76
Number of vessels.....	1.38	5.00	2.31	0.93	0.93
Capital ship ratio.....	5.00	5.00	3.00	1.67	1.67

TABLE VI.—Destroyer type, first line (unlimited)

Power	Built				Leaders authorized and appropriated for, or building	
	Leaders		Destroyers		Number	Tons
	Number	Tons	Number	Tons		
United States.....	None.	None.	1276	329,153	None.	None.
British Empire.....	18	31,310	169	194,575	None.	None.
Japanese Empire.....	None.	None.	78	85,650	4	7,460
France.....	4	9,144	20	20,062	9	22,647
Italy.....	8	14,889	20	18,111	None.	None.

Power	Destroyers authorized and appropriated for, or building		Total			
			Leaders		Destroyers	
	Number	Tons	Number	Tons	Number	Tons
United States.....	None.	None.	None.	None.	276	329,153
British Empire.....	2	2,540	18	31,310	171	197,115
Japanese Empire.....	14	20,230	4	7,460	92	105,880
France.....	25	36,560	13	31,791	45	56,622
Italy.....	15	19,112	8	14,889	35	37,223

	United States	British Empire	Japanese Empire	France	Italy
Actual ratios, modern destroyer types:					
Total combined tonnage.....	7.29	5.00	2.48	1.93	1.14
Total combined number of vessels.....	7.30	5.00	2.54	1.54	1.14
Capital ship ratio.....	5.00	5.00	3.00	1.67	1.67

¹ Includes 14 light mine layers, destroyer type. Nearly all of these 276 boats which give the United States a preponderance in this type were laid down during the World War in an emergency program to combat the German submarines; many of them are of hasty construction. Only 106 destroyers and six mine layers, total 112, are kept in commission.

² Includes one mine layer.

Characteristics: Destroyer leaders, 1,500 tons plus; 27 knots plus. Destroyers, first line, 800–1,500 tons; 27 knots plus.

TABLE VII.—Fleet submarines, first line (unlimited)

[Over 1,000 tons each; 20 knots plus]

Power	Built		Authorized and appropriated for, or building		Total		Ton- nage on basis of 5-5- 3-1.67- 1.67	To attain the 5-5-3- 1.67-1.67 ratio with British Empire	
	Number	Tons	Number	Tons	Number	Tons		Number ¹	Tons
United States.....	16	19,675	3	(1)	9	15,675	23,565	4	7,890
British Empire.....	7	11,350	9	12,215	16	23,565	23,565	None.	None.
Japanese Empire.....	6	10,110	17	21,970	23	32,080	14,139	None.	None.
France.....	3	2,988	4	10,010	7	12,998	7,870	None.	None.
Italy.....	None.		4	5,200	4	5,200	7,870	1	2,670

¹ Number arrived at by assuming an arbitrary boat tonnage of 2,000 tons.

² Includes T-1, T-2, and T-3, out of commission.

³ Tonnage not available; includes one mine-laying submarine and two cruiser submarines, all V types.

⁴ Estimated on average basis of 2,000 tons per ship for ships building.

⁵ Does not include two 1,600-ton monitor submarines.

TABLE VIII.—Fleet submarines, first line (unlimited)—Continued

	United States	British Empire	Japanese Empire	France	Italy
Actual ratios fleet submarines:					
Tonnage.....	3.32	5.00	6.81	2.76	1.10
Number vessels.....	2.81	5.00	7.19	2.19	1.25
Capital ship ratio.....	5.00	5.00	3.00	1.67	1.67

TABLE VIII.—Submarines, first line (700 tons plus, 13 knots plus (unlimited))

Power	Built		Authorized and appropriated for or building		Totals		Ton- nage on basis of 5-5-3- 1.67- 1.67	To attain the 5-5-3-1.67-1.67 ratio with British Empire	
	Num- ber	Tons	Num- ber	Tons	Num- ber	Tons		Num- ber	Tons
United States.....	50	43,822	None.	None.	50	43,822	26,040	None.	None.
British Empire.....	128	25,150	1	890	29	26,040	26,040	None.	None.
Japanese Empire.....	43	34,834	2	1,663	45	36,497	15,624	None.	None.
France.....	19	17,509	19	26,621	38	44,130	8,697	None.	None.
Italy.....	9	7,167	9	7,145	18	14,312	8,697	None.	None.

	United States	British Empire	Japanese Empire	France	Italy
Actual ratios, submarines, first line:					
Tonnage.....	8.41	5.00	7.00	8.47	2.75
Number of vessels.....	8.62	5.00	7.76	6.55	3.10
Capital ship ratio.....	5.00	5.00	3.00	1.67	1.67

¹ Does not include two 1,600-ton monitor submarines.

² Does not include three mine layers totaling 6,760 tons.

³ Does not include three mine layers totaling 2,670 tons.

Classified as to speed, 12 knots and above (gross tonnage of ships of 1,000 plus)

	United States	British Empire	Japan	France	Italy	Germany
12-15 knots.....	882,960	5,537,242	746,348	657,041	506,631	636,803
15-18 knots.....	611,067	2,109,820	164,888	219,760	183,817	96,279
18-20 knots.....	62,140	560,486	10,527	67,225	51,917	52,930
Over 20 knots.....	113,683	235,995	—	69,506	81,700	—
Total.....	1,669,850	8,443,543	921,763	1,013,532	824,065	786,012

TABLE IX

A. NAVAL AIR STRENGTH (UNLIMITED)

Data on plane-carrying capacity of fleets: The following table indicates the airplanes which it is estimated may be carried and launched for effective attack by combatant ships of the fleets at sea, away from a coast-defense area of 1,000 miles.

Nation	Plane carrying capacity built		Plane carrying capacity building		Total	Plane carrying capacity on basis of 5-5-3-1.67-1.67 ratio with British Empire	To attain the 5-5-3-1.67-1.67 ratio with British Empire
	Aircraft carriers	Battle-ships and cruisers	Aircraft carriers	Battle-ships and cruisers			
United States.....	30	46	144	110	230	291	61
British Empire.....	93	16	144	48	291	291	None.
Japanese Empire.....	12	30	144	12	198	175	None.
France.....	0	27	60	12	99	97	None.
Italy.....	0	30	0	4	34	97	

	United States	British Empire	Japanese Empire	France	Italy
Plane carrying capacity.....	3.95	5.00	3.40	1.70	0.58
Capital ship ratio.....	5.00	5.00	3.00	1.67	1.67

¹ Includes capacity of three battleships being reconconditioned.

² Carrying capacity of Vindictive, only British ship (battleship or cruiser), having planes. Planes and platforms on vessels were removed after the World War; platforms are kept in storage, and in a short time carrying capacity of battleships and cruisers would be brought to 120.

NOTE.—Possible to attain capacity by (1) building large aircraft carriers to total tonnage allowed by treaty; (2) building cruisers to carry planes, cruisers not being limited as to numbers; and (3) building carriers of less than 10,000 tons displacement, these not being limited by treaty.

TABLE IX—Continued
B. GENERAL DATA REGARDING NAVAL AVIATION

	United States	British Empire	Japanese Empire	France	Italy
Heavier-than-air craft, exclusive of school and training.....	212	120	193	90	175
Heavier-than-air craft in reserve.....	125	120	236	59	(?)
Personnel:					
Officers.....	1,692	4,456	675	218	(?)
Enlisted men.....	3,587	3,215	6,100	3,650	(?)
Reserve.....	470	(?)	None.	1,475	(?)
Lighter-than-air craft:					
Built.....	2	2	2	5	3
Authorized.....	2	2	None.	26	5

¹ Approximately 500 additional planes in general service in Royal Air Service.

² Information not available.

³ Includes Marine Corps personnel.

⁴ Does not include administrative and other overhead personnel of the Royal Air force which serves the fleet air arm, and therefore is not accurate for basis of comparison. An estimate of personnel required by the British Empire for naval aviation is 1,050 officers and 9,000 men.

⁵ Includes the nonmilitary rigid Los Angeles.

⁶ The French report that the Mediterranean is to be scrapped this year. Besides the Mediterranean they report having 13 nonrigid dirigibles of 360,000 cubic feet capacity; of these, 4 are in commission and 9 in reserve.

TABLE X.—Vessels laid down or appropriated for since Washington Limitation Conference, February 6, 1922

Type	United States			British Empire			Japanese Empire			France			Italy		
	Laid down	Appropriated for	Total	Laid down	Appropriated for	Total	Laid down	Appropriated for	Total	Laid down	Appropriated for	Total	Laid down	Appropriated for	Total
Battleships.....				2	2										
Aircraft carriers, first line.....	12	2	12	2	2	2	2	1	1						
Light (modern) cruisers, first line.....	2	3	5	11	3	14	12	12	6	1	7	2			2
Cruiser mine layers.....				1	1					1	1				
Destroyer leaders.....							4	4	6	3	9				
Destroyers.....				2	2	35	8	43	21	4	25	16			16
Submarines (all classes).....	3	3	4	6	10	30	9	39	28	11	39	13			13
Gunboats.....	6	6	4	4	4	4	4	4	1	1	1				
Mine sweepers.....						6	6	6				9			9
Submarine tenders.....				1	1	2	2	1	1	2	3	4			4
Tankers.....						3	3	1	2	3	4				
Supply ships.....				1	1	1	1	1				2			2
Total.....		16		37		116		88				46			

¹ Lexington and Saratoga.

² Courageous and Glorious.

³ Akagi and Kaga.

⁴ Emerald and Enterprise were laid down prior to conference and are not included.

⁵ River gunboats.

⁶ Both mine sweepers and mine layers.

TABLE XI.—Merchant marine of chief nations—1,000 tons and above gross tonnage (July 1, 1926)

[Merchant ships, though not an active part of peace-time navies, are a vital part of war-time navies. The fact that merchant vessels constitute a powerful naval reserve is often overlooked.]

Merchant vessels	United States		British Empire		Japan	
	Number	Tonnage ¹	Number	Tonnage	Number	Tonnage
Total.....	2,299	11,089,753	4,473	20,184,154	990	3,583,839
Laid up.....	842	3,757,083	239	1,203,697	135	53,270

Merchant vessels	France		Italy		Germany	
	Number	Tonnage	Number	Tonnage	Number	Tonnage
Total.....	746	3,099,803	672	3,000,855	678	2,600,347
Laid up.....	42	91,713	30	35,521	(?)	(?)

¹ Shipping on Great Lakes not included.

² Figures are of November, 1925.

³ Figures are of March, 1926.

⁴ No data available.

ADJOURNMENT

Mr. FRENCH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned until to-morrow, Friday, January 7, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, January 7, 1927, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

To create a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities by means of the establishment of Federal agricultural export corporations for the basic agricultural commodities (H. R. 15655).

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Commerce Department appropriation bill.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend the Federal farm loan act (H. R. 15540).

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To hear Maj. Gen. Fox Connor on the Army appropriation bill.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10.30 a. m.)

To authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924 (H. R. 15663).

FOR MONDAY, JANUARY 10

COMMITTEE ON CENSUS

(10 a. m.)

To consider reapportionment of Members of the House of Representatives among the several States.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

846. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the legislative establishment, Library of Congress, for the fiscal year 1928, in the sum of \$10,380 (H. Doc. No. 627); to the Committee on Appropriations and ordered to be printed.

847. A letter from the chairman of the United States Shipping Board, transmitting a report of claims arbitrated or settled by agreement from October 16, 1925, to October 15, 1926, by the United States Shipping Board and for United States Shipping Board Emergency Fleet Corporation; to the Committee on the Merchant Marine and Fisheries.

848. A message from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce, for export industries, for the fiscal year ending June 30, 1928, amounting to \$50,000 (H. Doc. No. 628); to the Committee on Appropriations and ordered to be printed.

849. A message from the President of the United States, transmitting a deficiency estimate of appropriation for the Department of the Interior, Bureau of Indian Affairs, for the fiscal years 1923, 1924, and 1926, amounting in the aggregate to \$96,303.11 (H. Doc. No. 629); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOOD: Committee on Appropriations, H. R. 15959. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes; without amendment (Rept. No. 1681). Referred to the Committee of the Whole House on the state of the Union.

Mr. SWOPE: Committee on Invalid Pensions. H. R. 13451. A bill to increase the pensions of certain maimed veterans who have lost limbs or have been totally disabled in the same, in line of duty, in the military or naval service of the United States; and to amend section 4788 of the Revised Statutes of the United States by increasing the rates therein for artificial limbs; without amendment (Rept. No. 1682). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Maryland: Committee on Military Affairs. H. R. 1130. A bill authorizing the Secretary of War to donate to the Wayne County Council of the Veterans of Foreign Wars of Detroit, State of Michigan, two brass cannons or fieldpieces; with amendment (Rept. No. 1683). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 11423. A bill to facilitate and simplify the work of the Department of Agriculture in certain cases; with amendment (Rept. No. 1684). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 13050. A bill releasing and granting to the State of Utah and the University of Utah any and all reversionary rights of the United States in and to the grounds now occupied as a campus by the University of Utah; with amendment (Rept. No. 1685). Referred to the Committee of the Whole House on the state of the Union.

Mr. PURNELL: Committee on Agriculture. H. R. 15649. A bill to provide for the eradication or control of the European corn borer; without amendment (Rept. No. 1686). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. J. Res. 318. A joint resolution to authorize the Secretary of War to lend tentage, cots, and blankets for the use of the Virginia Department of the Veterans of Foreign Wars at its annual encampment, June, 1927; without amendment (Rept. No. 1687). Referred to the Committee of the Whole House on the state of the Union.

Mr. WURZBACH: Committee on Military Affairs. H. R. 11321. A bill for the purchase of land for use in connection with Camp Marfa, Tex.; without amendment (Rept. No. 1688). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. HAUGEN: Committee on Agriculture. H. R. 14865. A bill for the relief of George H. Cecil; without amendment (Rept. No. 1689). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of Rule XIII.

Mr. GRAHAM: Committee on the Judiciary. H. Res. 353. A resolution to obtain certain information from the Treasury Department; adverse (Rept. No. 1690). Laid on the table.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14288) granting a pension to Mary M. Goodwin; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 15637) for the relief of David Parrett; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 15855) for the relief of Clifford J. Sanghove; Committee on Claims discharged, and referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOOD: A bill (H. R. 15959) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and all offices for the fiscal year ending June 30, 1928, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. ACKERMAN: A bill (H. R. 15960) granting permission to the city of Plainfield, N. J., to widen East Second Street alongside of the Federal post-office building, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. HILL of Alabama: A bill (H. R. 15961) for the forfeiture of pay of retired officers under certain conditions; to the Committee on Military Affairs.

By Mr. JAMES: A bill (H. R. 15962) to determine the length of service of Army officers; to the Committee on Military Affairs.

By Mr. CRISP: A bill (H. R. 15963) to establish a Federal farm board in the Department of Agriculture to aid the industry of agriculture to organize effectively for the orderly marketing and for the control and disposition of the surplus of agricultural commodities; to the Committee on Agriculture.

By Mrs. ROGERS: A bill (H. R. 15964) to amend the World War compensation act as amended; to the Committee on Ways and Means.

By Mr. BRAND of Georgia: A bill (H. R. 15965) granting relief to veterans of the World War; to the Committee on Ways and Means.

By Mr. EDWARDS: A bill (H. R. 15966) granting relief to veterans of the World War; to the Committee on Ways and Means.

By Mr. GLYNN: A bill (H. R. 15967) to fix the term of active duty for members of the Officers' Reserve Corps; to the Committee on Military Affairs.

Also, a bill (H. R. 15968) to provide for the preparation of evidence for the Government in cases of alleged patent infringement; to the Committee on Military Affairs.

By Mr. LEA of California: A bill (H. R. 15969) authorizing the attorney of the State of California as prochein ami of the Indians of California to bring suit in the Court of Claims; to the Committee on Indian Affairs.

By Mr. LEAVITT: A bill (H. R. 15970) authorizing appropriation of funds for construction of a highway from Red Lodge, Mont., to the boundary of the Yellowstone National Park near Cooke City, Mont.; to the Committee on Roads.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 15971) providing for the men who served with the American Expeditionary Forces in Europe during the World War as civilian employees of the Engineer Department, United States Army, the status of Army field clerks, and for other purposes; to the Committee on Military Affairs.

By Mr. SMITH: A bill (H. R. 15972) providing for a grant of land in Idaho to the Oregon Trail Memorial Association of New York, N. Y. (Inc.), on which to erect a monument marking the site of Fort Hall; to the Committee on the Public Lands.

By Mr. JOHNSON of South Dakota: A bill (H. R. 15973) authorizing an appropriation of \$6,000,000 for the purchase of feed and seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under the rules and regulations prescribed by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. MORIN: A bill (H. R. 15974) providing retirement for persons who hold licenses as navigators or engineers who have reached the age of 64 years and who have served 25 or more years on seagoing vessels; to the Committee on Military Affairs.

By Mr. GRAHAM (by request): A bill (H. R. 15975) providing for the punishment of persons escaping from Federal penal or correctional institutions, and for other purposes; to the Committee on the Judiciary.

By Mr. PORTER: Resolution (H. Res. 360) providing for the consideration of the concurrent resolution (H. Con. Res. 43) requesting the President to propose the calling of a third Hague conference for the codification of international law; to the Committee on Rules.

By Mr. DOUGLASS: Resolution (H. Res. 361) requesting the President, the Secretary of State, the Secretary of Commerce, and the Secretary of Labor jointly to furnish to the House of Representatives certain facts concerning immigration quotas; to the Committee on Immigration and Naturalization.

By Mr. HAUGEN: Resolution (H. Res. 362) to provide for the consideration of the bill H. R. 15649, entitled "A bill to provide for the eradication or control of the European corn borer"; to the Committee on Rules.

By Mr. MADDEN: Resolution (H. Res. 363) providing for the payment of \$213.33 to D. A. Maynard as one month's salary as clerk to the late Hon. Charles E. Fuller; to the Committee on Accounts.

By Mr. GRAHAM: Resolution (H. Res. 364) for the consideration of H. R. 8902; to the Committee on Rules.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of Oklahoma, favoring the passage of S. 4808, regarding farm legislation; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 15976) providing for the examination and survey of the Elizabeth River, Elizabeth, N. J.; to the Committee on Rivers and Harbors.

By Mr. ADKINS: A bill (H. R. 15977) granting an increase of pension to Mamie Lewis; to the Committee on Invalid Pensions.

By Mr. BARKLEY: A bill (H. R. 15978) for the relief of Bondurant, Callaghan, Cheshire & Co., a partnership; to the Committee on Claims.

By Mr. BEGG: A bill (H. R. 15979) granting an increase of pension to Catharine Alter; to the Committee on Invalid Pensions.

By Mr. BLOOM: A bill (H. R. 15980) granting a pension to Helen C. Smith; to the Committee on Pensions.

By Mr. BUTLER: A bill (H. R. 15981) to authorize certain officers of the United States Navy and Marine Corps to accept certain decorations conferred upon them by the Government of Greece; to the Committee on Naval Affairs.

By Mr. CHAPMAN: A bill (H. R. 15982) granting an increase of pension to Sarah E. Stigers; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 15983) for the relief of Mary Martin Harrison, mother of the late Henry Hartwell Harrison, ensign, United States Navy, Aviation Service; to the Committee on War Claims.

By Mr. GAMBRILL: A bill (H. R. 15984) for the relief of Oliver C. Macey and Marguarite Macey; to the Committee on Claims.

By Mr. GLYNN: A bill (H. R. 15985) granting an increase of pension to Elizabeth M. Fox; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 15986) for the relief of Homer C. Rayhill; to the Committee on Military Affairs.

By Mr. KELLY: A bill (H. R. 15987) granting a pension to Clara E. Campbell; to the Committee on Invalid Pensions.

By Mr. KIEFNER: A bill (H. R. 15988) granting an increase of pension to Artie Bennett; to the Committee on Invalid Pensions.

By Mr. KIRK: A bill (H. R. 15989) granting a pension to Camillus Arnett; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 15990) granting six months' pay to Maria J. McShane; to the Committee on Naval Affairs.

By Mr. LITTLE: A bill (H. R. 15991) granting a pension to Emma J. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15992) granting a pension to Florence G. Brooks; to the Committee on Pensions.

Also, a bill (H. R. 15993) granting a pension to B. C. Striegel; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 15994) granting a pension to Elizabeth B. Fletcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15995) granting an increase of pension to Mary E. Perky; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15996) granting a pension to Gus Pike; to the Committee on Invalid Pensions.

By Mr. McLEOD: A bill (H. R. 15997) granting an increase of pension to Kate V. Scheyer; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 15998) granting a pension to John C. Brennessholtz; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 15999) granting an increase of pension to Mary T. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16000) granting an increase of pension to Rosetta Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16001) granting an increase of pension to Huldah E. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16002) granting an increase of pension to Louise Spade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16003) granting an increase of pension to Susan C. Stanley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16004) granting an increase of pension to Mary S. Steval; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16005) granting an increase of pension to Anna L. Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16006) granting an increase of pension to Alice J. McClelland; to the Committee on Invalid Pensions.

By Mr. ROBINSON of Iowa: A bill (H. R. 16007) granting an increase of pension to Douglass Smith; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 16008) granting an increase of pension to Clara J. Eldredge; to the Committee on Invalid Pensions.

By Mr. SOMERS of New York: A bill (H. R. 16009) for the relief of Sophie Caffrey; to the Committee on Claims.

By Mr. SPEAKS: A bill (H. R. 16010) granting an increase of pension to Ida Howard; to the Committee on Pensions.

By Mr. TOLLEY: A bill (H. R. 16011) granting an increase of pension to Pauline A. Clark; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 16012) granting a pension to Ravon Cawood; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 16013) for the relief of J. H. Baker on account of loss sustained by the burning of his barn by Luther Campbell, Wichita Indian; to the Committee on Claims.

By Mr. TYDINGS: A bill (H. R. 16014) for the relief of Stewart Distilling Co.; to the Committee on Claims.

By Mr. UNDERWOOD: A bill (H. R. 16015) granting an increase of pension to Sarah Ann Lehman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16016) granting a pension to Effie Nichols; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4467. By Mr. ARNOLD: Petition from citizens of Annapolis, Ill., urging the passage of pension legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4468. Also, petition from citizens of Mount Vernon, Ill., recommending pension legislation in behalf of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4469. By Mr. CHALMERS: Petition signed by several hundred constituents from Toledo, Ohio, protesting against the compulsory Sunday observance bills; to the Committee on the District of Columbia.

4470. Also, petition signed by several constituents of Ohio pertaining to pension bill; to the Committee on Invalid Pensions.

4471. By Mr. COOPER of Wisconsin: Petition of certain residents of Racine County, Wis., protesting against the passage of House bill 10311, known as the compulsory Sunday observance bill; to the Committee on the District of Columbia.

4472. By Mr. GALLIVAN: Petition of Miss Elfin M. Harmon, 18 Van Winkle Street, Dorchester, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4473. By Mr. GARBER: Petition of the Oklahoma State Highway Commission, urging support of Senate bill 3889, a bill providing that interstate bridges not subject to the regulation of the Secretary of War shall be placed under the jurisdiction of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

4474. Also, resolutions adopted by the National Association of Commissioners, Secretaries, and Departments of Agriculture, Chicago, Ill., urging the enactment of legislation in the interests of the agricultural industry; to the Committee on Agriculture.

4475. By Mr. HALL of Indiana: Petition of Arthur Tate and 20 members of civilian clubs of National Rifle Association, asking for an appropriation of \$200,000 as an aid to civilian clubs of National Rifle Association as an amendment to Army appropriation bill; to the Committee on Appropriations.

4476. By Mr. HERSEY: Petition of C. A. Sawyer and 15 others, urging pension legislation for veterans of Civil War and their widows; to the Committee on Invalid Pensions.

4477. By Mr. HOOPER: Petition of O. V. LaBoyteaux and 85 other residents of Hillsdale County, Mich., favoring pending legislation to increase the rates of pension of Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4478. By Mr. KINDRED: Petition of the Medical Society of the County of Kings, N. Y., condemning the specialized

medicine of the Sheppard-Towner maternity type, and urging the United States Congress to work and vote against the perpetuation of this measure through appropriate bills; to the Committee on Interstate and Foreign Commerce.

4479. By Mr. LITTLE: Petition signed by six citizens of Bethel and Muncie, Kans., urging favorable consideration of the Lankford Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

4480. By Mr. NELSON of Missouri: Petition signed by C. B. Bass and 20 others, in support of Civil War pension bill; to the Committee on Invalid Pensions.

4481. Also, petition signed by Mrs. Anna M. Leffert and many others, in support of Civil War pension bill; to the Committee on Invalid Pensions.

4482. By Mr. O'CONNELL of New York: Petition of the Federal Council of the Churches of Christ in America, favoring the

reduction of naval armaments; to the Committee on Naval Affairs.

4483. Also, petition of William J. Glacken, president Rugby National Bank, of Brooklyn, N. Y., favoring the passage of the McFadden banking bill without the Hull amendments; to the Committee on Banking and Currency.

4484. Also, petition of the Fred Rueping Leather Co., of New York, favoring the passage of House bill 3783; to the Committee on Ways and Means.

4485. By Mr. SMITH: Petition of Hon. R. M. McCracken and 15 other citizens of Boise, Idaho, urging the enactment of legislation for the relief of Indian war veterans, their widows, and dependents; to the Committee on Pensions.

4486. By Mr. SWING: Petition of certain residents of Arlington, Calif., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.